# HOUSE OF REPRESENTATIVES—*Thursday, October 25, 1973*

The House met at 12 o'clock noon.

Msgr. John Gannon, St. John's Church, St. John's Rectory, Clinton, Mass., offered the following prayer:

Almighty God, who has given to us countless blessings as a free people, may we gathered here today invoke Thy aid. Thou who has said "by wisdom the house shall be built and by prudence it shall be strengthened, by instruction the storerooms shall be filled with all precious and most beautiful wealth," guide and help us that we, the representatives of a people so act as to deserve the fullness of Thy life.

God, author of all knowledge, guide and strengthen our country by giving to each of us the will to use with zeal the opportunities and the talents to create a better world of peace, justice, and equal opportunities for all.

Jesus of Nazareth, You once said that anyone who wants to be a leader must learn to be everyone's servant. Teach me why the truly great leaders, those who accomplished the greatest good for the largest number of people, were men and women who knew that to lead is to serve. Motivate us to begin leading those we represent by discovering their needs and by striving to help them to live up to their potential. In true humility and spirit guide us through this day knowing that our words, decisions, and verdicts are accountable not alone to the trust of our fellow men but also to the Supreme Lawgiver.

Trusting always in God and with confidence in his aid may this session of the Congress of our country enact legislation to benefit all, to relieve the oppressed, to judge for the fatherless, and to defend the weak in the name of the Father and of the Son and of the Holy Spirit. Amen.

## THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Without objection, the Journal stands approved.

There was no objection.

## MSGR. JOHN F. GANNON

Mr. DONOHUE. Mr. Speaker, today we have been privileged to hear the opening prayer and receive the spiritual guidance of the Reverend Monsignor John F. Gannon, P.A., V.G., pastor of St. John's Catholic Church in Clinton, a community within my home county in Massachusetts.

Monsignor Gannon was born in Worcester, Mass., was graduated from Holy Cross College there in 1930, and was ordained into the priesthood at the American College in Rome, Italy, on December 5, 1933.

His first assignment was as curate at Our Lady of the Rosary Parish in Clinton. At the end of 1 year there, his superiors, because of the exceptionally high qualities of spiritual leadership he had demonstrated, selected him to found and establish the Italian Parish of St. Ann in the city of Leominster, Mass.

In further recognition of his extraordinary priestly dedication and administrative wisdom and energy, Monsignor Gannon was chosen, in 1950, as the first chancellor of the new Catholic Diocese of Worcester. In that same year, he was appointed monsignor papal chamberlain by Pope Pius XII. In 1952, he was appointed domestic prelate and vicar general of the Worcester Diocese. He was elevated to protonotary apostolic in 1960 by Pope John XXIII and was also designated pastor of St. John's Parish in Clinton. Monsignor Gannon currently continues to serve as vicar general of the Worcester Diocese, as well as pastor of St. John's Church.

I am sure that Monsignor Gannon's moving prayer today will inspire us all to continue to exert our fullest individual talents and energies in the patriotic discharge of the tremendous legislative responsibilities that face the Congress in this most critical period of our national and world history.

## DALLAS HONORS FORMER CONGRESSMAN EARLE CABELL

(Mr. MILFORD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MILFORD. Mr. Speaker, I would like to make an announcement of an event that many of our Members will be quite interested in. A former Member of this House, Congressman Earle Cabell, of Texas, will be honored by citizens of Dallas tomorrow afternoon on the occasion of his 66th birthday.

Congressman Cabell is now out of the hospital and continues to battle his ailment with the same spirit of determination that you have seen him display on the floor of this House.

If Members would like to send telegrams to this great American citizen and former colleague, you may send your wire to: Congressman Earle Cabell, 610 Noel Page Building, Dallas, Tex. 75206.

His actual birthday party will be held in that building Friday afternoon, October 26, 1973, from 3 to 5 p.m.

Congressman Cabell is being honored by citizens of Dallas for his outstanding service as a leader in business and civic affairs, as former mayor of Dallas, and as an outstanding Member of this House.

## COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER laid before the House the following communication from the Clerk of the House of Representatives:

*October 24, 1973.*

Hon. CARL ALBERT,
*The Speaker,*
*House of Representatives.*

DEAR MR. SPEAKER: I have the honor to transmit herewith a sealed envelope from the White House, received in the Clerk's office at 5:35 p.m. on Wednesday, October 24, 1973, and said to contain H.J. Res. 542, Joint Resolution concerning the war powers of Congress and the President, and a veto message thereon.

With kind regards, I am,

Sincerely,

W. PAT JENNINGS,
*Clerk, House of Representatives.*

## WAR POWERS RESOLUTION—VETO MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 93–171)

The SPEAKER laid before the House the following veto message from the President of the United States:

*To the House of Representatives:*

I hereby return without my approval House Joint Resolution 542—the War Powers Resolution. While I am in accord with the desire of the Congress to assert its proper role in the conduct of our foreign affairs, the restrictions which this resolution would impose upon the authority of the President are both unconstitutional and dangerous to the best interests of our Nation.

The proper roles of the Congress and the Executive in the conduct of foreign affairs have been debated since the founding of our country. Only recently, however, has there been a serious challenge to the wisdom of the Founding Fathers in choosing not to draw a precise and detailed line of demarcation between the foreign policy powers of the two branches.

The Founding Fathers understood the impossibility of foreseeing every contingency that might arise in this complex area. They acknowledged the need for flexibility in responding to changing circumstances. They recognized that foreign policy decisions must be made through close cooperation between the two branches and not through rigidly codified procedures.

These principles remain as valid today as they were when our Constitution was written. Yet House Joint Resolution 542 would violate those principles by defining the President's powers in ways which would strictly limit his constitutional authority.

CLEARLY UNCONSTITUTIONAL

House Joint Resolution 542 would attempt to take away, by a mere legislative act, authorities which the President has properly exercised under the Constitution for almost 200 years. One of its provisions would automatically cut off certain authorities after sixty days unless the Congress extended them. Another would allow the Congress to eliminate certain authorities merely by the passage of a concurrent resolution—an ac-

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

tion which does not normally have the force of law, since it denies the President his constitutional role in approving legislation.

I believe that both these provisions are unconstitutional. The only way in which the constitutional powers of a branch of the Government can be altered is by amending the Constitution—and any attempt to make such alterations by legislation alone is clearly without force.

UNDERMINING OUR FOREIGN POLICY

While I firmly believe that a veto of House Joint Resolution 542 is warranted solely on constitutional grounds, I am also deeply disturbed by the practical consequences of this resolution. For it would seriously undermine this Nation's ability to act decisively and convincingly in times of international crisis. As a result, the confidence of our allies in our ability to assist them could be diminished and the respect of our adversaries for our deterrent posture could decline. A permanent and substantial element of unpredictability would be injected into the world's assessment of American behavior, further increasing the likelihood of miscalculation and war.

If this resolution had been in operation, America's effective response to a variety of challenges in recent years would have been vastly complicated or even made impossible. We may well have been unable to respond in the way we did during the Berlin crisis of 1961, the Cuban missile crisis of 1962, the Congo rescue operation in 1964, and the Jordanian crisis of 1970—to mention just a few examples. In addition, our recent actions to bring about a peaceful settlement of the hostilities in the Middle East would have been seriously impaired if this resolution had been in force.

While all the specific consequences of House Joint Resolution 542 cannot yet be predicted, it is clear that it would undercut the ability of the United States to act as an effective influence for peace. For example, the provision automatically cutting off certain authorities after 60 days unless they are extended by the Congress could work to prolong or intensify a crisis. Until the Congress suspended the deadline, there would be at least a chance of United States withdrawal and an adversary would be tempted therefore to postpone serious negotiations until the 60 days were up. Only after the Congress acted would there be a strong incentive for an adversary to negotiate. In addition, the very existence of a deadline could lead to an escalation of hostilities in order to achieve certain objectives before the 60 days expired.

The measure would jeopardize our role as a force for peace in other ways as well. It would, for example, strike from the President's hand a wide range of important peacekeeping tools by eliminating his ability to exercise quiet diplomacy backed by subtle shifts in our military deployments. It would also cast into doubt authorities which Presidents have used to undertake certain humanitarian relief missions in conflict areas, to protect fishing boats from seizure, to deal with ship or aircraft hijackings, and to respond to threats of attack. Not the least of the adverse consequences of this resolution would be the prohibition contained in section 8 against fulfilling our obligations under the NATO treaty as ratified by the Senate. Finally, since the bill is somewhat vague as to when the 60 day rule would apply, it could lead to extreme confusion and dangerous disagreements concerning the prerogatives of the two branches, seriously damaging our ability to respond to international crises.

FAILURE TO REQUIRE POSITIVE CONGRESSIONAL ACTION

I am particularly disturbed by the fact that certain of the President's constitutional powers as Commander in Chief of the Armed Forces would terminate automatically under this resolution 60 days after they were invoked. No overt Congressional action would be required to cut off these powers—they would disappear automatically unless the Congress extended them. In effect, the Congress is here attempting to increase its policy-making role through a provision which requires it to take absolutely no action at all.

In my view, the proper way for the Congress to make known its will on such foreign policy questions is through a positive action, with full debate on the merits of the issue and with each member taking the responsibility of casting a yes or no vote after considering those merits. The authorization and appropriations process represents one of the ways in which such influence can be exercised. I do not, however, believe that the Congress can responsibly contribute its considered, collective judgment on such grave questions without full debate and without a yes or no note. Yet this is precisely what the joint resolution would allow. It would give every future Congress the ability to handcuff every future President merely by doing nothing and sitting still. In my view, one cannot become a responsible partner unless one is prepared to take responsible action.

STRENGTHENING COOPERATION BETWEEN THE CONGRESS AND THE EXECUTIVE BRANCHES

The responsible and effective exercise of the war powers requires the fullest cooperation between the Congress and the Executive and the prudent fulfillment by each branch of its constitutional responsibilities. House Joint Resolution 542 includes certain constructive measures which would foster this process by enhancing the flow of information from the executive branch to the Congress. Section 3, for example, calls for consultations with the Congress before and during the involvement of the United States forces in hostilities abroad. This provision is consistent with the desire of this Administration for regularized consultations with the Congress in an even wider range of circumstances.

I believe that full and cooperative participation in foreign policy matters by both the executive and the legislative branches could be enhanced by a careful and dispassionate study of their constitutional roles. Helpful proposals for such a study have already been made in the Congress. I would welcome the establishment of a non-partisan commission on the constitutional roles of the Congress and the President in the conduct of foreign affairs. This commission could make a thorough review of the principal constitutional issues in Executive-Congressional relations, including the war powers, the international agreement powers, and the question of Executive privilege, and then submit its recommendations to the President and the Congress. The members of such a commission could be drawn from both parties—and could represent many perspectives including those of the Congress, the executive branch, the legal profession, and the academic community.

This Administration is dedicated to strengthening cooperation between the Congress and the President in the conduct of foreign affairs and to preserving the constitutional prerogatives of both branches of our Government. I know that the Congress shares that goal. A commission on the constitutional roles of the Congress and the President would provide a useful opportunity for both branches to work together toward that common objective.

RICHARD NIXON.

THE WHITE HOUSE, *October 24, 1973.*

The SPEAKER. The objections of the President will be spread at large upon the Journal, and the message and joint resolution will be printed as a House document.

The question is, Will the House, on reconsideration, pass the joint resolution (H.J. Res. 542), the objections of the President to the contrary notwithstanding?

MOTION OFFERED BY MR. O'NEILL

Mr. O'NEILL. Mr. Speaker, I move that further consideration of the veto message from the President on House Joint Resolution 542 be postponed until Thursday, November 1, 1973.

The SPEAKER. The question is on the motion offered by the gentleman from Massachusetts (Mr. O'NEILL).

The motion was agreed to.

A motion to reconsider was laid on the table.

---

## COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER laid before the House the following communication from the Clerk of the House of Representatives:

WASHINGTON, D.C.,
*October 24, 1973.*

The Honorable CARL ALBERT,
*The Speaker, House of Representatives.*

DEAR MR. SPEAKER: On this date I have been served a summons and copy of the complaint in a Civil Action by the United States Marshal that was issued by the U.S. District Court for the District of Columbia. This summons is in connection with Civil Action No. 1872-73, Vladimir A. Zatko vs. The United States of America, The U.S. Congress and Richard Milhous Nixon, The U.S. President assigned to Judge J. Waddy in the U.S. District Court for the District of Columbia.

The Summons requires the Congress of

the United States to answer the complaint within sixty days after service.

The Summons and complaint in question are attached, and the matter is presented for such action as the House in its wisdom may see fit to take.

With kind regards, I am,

Sincerely,

W. PAT JENNINGS,
*Clerk, House of Representatives.*

---

WASHINGTON, D.C.,
*October 24, 1973.*

Hon. ROBERT H. BORK,
*Acting Attorney General of the United States, Department of Justice, Washington, D.C.*

DEAR MR. BORK: I am sending you a certified copy of a summons and complaint in Civil Action No. 1872–73 filed against the United States Congress and others in the United States District Court for the District of Columbia, and served upon me this date by the U.S. Marshal.

In accordance with 2 U.S.C. 118 I have sent a certified copy of the Summons and Complaint in this action to the U.S. Attorney for the District of Columbia requesting that he take appropriate action under the supervision and direction of the Attorney General. I am also sending you a copy of the letter I forwarded this date to the U.S. Attorney.

With kind regards, I am

Sincerely yours,

W. PAT JENNINGS,
*Clerk, U.S. House of Representatives.*

---

WASHINGTON, D.C.,
*October 24, 1973.*

Hon. HAROLD H. TITUS, Jr.,
*U.S. Attorney for the District of Columbia, U.S. Courthouse, Washington, D.C.*

DEAR MR. TITUS: I am sending you a certified copy of a summons and complaint in Civil Action No. 1872–73 filed against the United States Congress and others in the United States District Court for the District of Columbia, and served upon me this date by a U.S. Marshal.

In accordance with Title 2, U.S. Code, sec. 118, I respectfully request that you take appropriate action, as deemed necessary, under the "supervision and direction of the Attorney General" of the United States in defense of this suit against the U.S. House of Representatives.

I am also sending you a copy of the letter that I forwarded this date to the Attorney General of the United States.

With kind regards, I am

Sincerely,

W. PAT JENNINGS,
*Clerk, U.S. House of Representatives.*

---

[U.S. District Court for the District of Columbia, Civil Action File No. 1872–73]

VLADIMIR A. ZATKO, PLAINTIFF, v. THE UNITED STATES OF AMERICA, THE U.S. CONGRESS, RICHARD MILHOUS NIXON, THE U.S. PRESIDENT, DEFENDANTS.

To the above named Defendant: The U.S. Congress.

You are hereby summoned and required to serve upon plaintiff's P.P., whose address is Vladimir A. Zatko, P.O. Box B–34189, San Quentin State Prison, Tamal, California 94964, an answer to the complaint which is herewith served upon you, within 60 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint.

JAMES F. DAVEY,
*Clerk of Court.*
MARY B. DEAVERS,
*Deputy Clerk.*

Date: October 4, 1973.

## APPOINTMENT OF CONFEREES ON S. 386, AMENDING THE URBAN MASS TRANSPORTATION ACT OF 1964

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 386) to amend the Urban Mass Transportation Act of 1964 to authorize certain grants to assure adequate commuter service in urban areas, and for other purposes, with House amendments thereto, insist on the House amendments, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Texas? The Chair hears none, and appoints the following conferees: Messrs. PATMAN, MINISH, GETTYS, HANLEY, BRASCO, KOCH, COTTER, YOUNG of Georgia, MOAKLEY, BROWN of Michigan, WIDNALL, WILLIAMS, WYLIE, CRANE, and MCKINNEY.

## THE VETO OF THE WAR POWERS RESOLUTION

(Mr. ZABLOCKI asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ZABLOCKI. Mr. Speaker, I deeply regret the President's veto of the war powers resolution, House Joint Resolution 542. I am also disappointed by the President's attempted justification of such action.

The President's veto message is filled with vague generalities and unsupported allegations. More dismaying still, the message asserts the continued Presidential supremacy in decisionmaking on war and peace despite some lipservice to the contrary.

When the President states this resolution would seriously undermine "this Nation's ability" to act decisively and convincingly in international crises, does he really mean the whole Nation—including the public and its elected Congress—or the incumbent in the White House?

When he speaks of acting "decisively and convincingly" in international crises, does he have in mind mainly a free hand for the President or, as provided in our constitutional system, shared authority in foreign policy decisions?

Unfortunately, when viewed in the entire context of the message the answers to these questions will not be happy ones for the American people who believe in the constitutional mandate for a balance of powers.

Mr. Speaker, in the brief time I can make only a few initial comments about this unfortunate message:

The assertion that House Joint Resolution 542 would take away "authorities which the President has properly exercised under the Constitution for almost 200 years" is simply not true.

Constitutional lawyers and scholars have testified in favor of this legislation in lengthy hearings. Unfortunately, historically Presidents assumed unto themselves the power to send American forces into combat in foreign lands without proper congressional approval.

The basic fact is that the Constitution assigns to Congress, alone, the power to declare war. It confers authority on the President in this field only as Commander in Chief to execute any hostilities to which Congress may commit the Nation—not to start such hostilities himself.

House Joint Resolution 542 takes no constitutional power away from the President. It only affirms Congress rightful role.

The claim that House Joint Resolution 542 would undermine our foreign policy is totally unsubstantiated.

When the President professes concern about "unpredictability" of American behavior should the resolution become law, I think most Members will agree that recent events have shown that the President is not more predictable.

The allegation that the resolution, if it had been law, would have damaged the American response in a number of crises of recent years—including the current Middle East emergency—is not supported by fact. As a matter of fact, just the opposite is true. This resolution would enable Congress to participate more effectively and intelligently in foreign policy decisions relating to such crises.

Despite what the message contends, the resolution does not fail to require congressional action in an emergency. To the contrary, the resolution carefully provides for a yes-or-no vote under almost any conceivable circumstance in which the provisions of the measure would apply.

If the Congress decides not to approve the commitment of American forces abroad, I cannot agree with the President that this would handcuff him through failure to take positive action. The right for Congress not to declare war is as proper as its equal right to do so.

Lastly, the President suggests a nonpartisan commission to study the constitutional roles of the Congress and the President in foreign affairs and make recommendations. He makes no reference to the special Commission on the Organization of the Government for the Conduct of Foreign Policy, which is already set up and due to report on such matters by June 30, 1975.

As Members are aware, proposing a study commission is a time-honored way of sidetracking an issue. We need no further study now. The legislation before us is the product of 3 years of painstaking deliberation.

Mr. Speaker, the time is nearing for us "to act decisively and convincingly" to restore the responsibility of Congress under the Constitution to share in judgments of war and peace.

The vote to override the President's veto of the war powers resolution is scheduled for November 1, a week from today. I hope Members will take the opportunity in the intervening time to review the hearings and past congressional actions on this historic measure, and then vote overwhelmingly for its enactment into law.

Mr. Speaker, I notice that in one newspaper account today I am quoted as having little hope of an override vote in the House. This is not the case. To the contrary, I wish to point out that in the last two House votes on this bill the number of votes needed for a two-thirds majority has been reduced from 32 to 3.

I have confidence that recent events will add further to the mounting nonpartisan majority in the Congress who will reassert its constitutional authority. I submit this action will renew the faith and trust of the American people in their government.

## PERSONAL EXPLANATION

Mr. HENDERSON. Mr. Speaker, on rollcall 546, the call of the House on October 24, 1973, I was in the Chamber, placed my card in the box, but was not recorded.

Had I been recorded, I would have been shown as present for the call of the House.

## CELEBRATING NATIONAL SPACE WEEK

(Mr. HANLEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HANLEY. Mr. Speaker, I would like to bring to the attention of my colleagues that the city council of Oneonta has recently declared and celebrated National Space Week. The city council's action places them alongside the State of New York and over 20 other States that have joined together to celebrate our achievements in exploring outer space. There has been considerable turmoil over the funds we have used to venture into space and some question as to whether or not the money could have been better spent elsewhere. I would like to spend a minute in showing that, although much of the value of our efforts in space is intangible, there are many visible and positive results from our various space programs.

Recently, newspapers have carried probably one of the most exciting and positive results our space research has yet developed. I am referring to the discovery by one of our satellites that a simple barb wire fence may not only stop the Sahara Desert's encroachment into farmland, but may also finally enable man to reclaim the desert and make it livable. The benefits of drought-starved Africa could be enormous.

We should also note that today's technology developed from our space program is helping to prevent crop failures in India, and our satellites are charting ecological damage in America. Satellites are being used to beam television programs halfway around the globe, and the technology developed for use in our space programs promises to lead to breakthroughs in firefighting and medicine. The computer and computer processing industry are direct outgrowths of the NASA space program. The studies of the sun undertaken by the astronauts of Skylab II may help our scientists for ages to come.

I am sure you can all agree that it is fitting to be celebrating our efforts in space and I am sure you join me in congratulating the city council of Oneonta for observing and celebrating our space program.

## WE MUST NOT SEND U.S. TROOPS TO MIDDLE EAST

(Mr. GONZALEZ asked and was given permission to address the House for 1 minute, and to revise and extend his remarks.)

Mr. GONZALEZ. Mr. Speaker, because I fear the temptation to divert from the very embarrassing situation at home that all the alternative possibilities will not be explored, I have sent the following telegram to the President:

Mr. President, I urge that you exhaust every alternative before undertaking any move to send U.S. troops to the Middle East. If both U.S. and Soviet forces are placed in that area the risks of global war will be intolerably high. Considering the instability of the situation I respectfully recommend that you call upon the United Nations to immediately create an international force to police a cease fire in the Middle East. Such a force could protect the interests of all parties without further endangering world peace. Surely the great powers could finance such an international peacekeeping effort while others could furnish the necessary manpower. A mixed force with a mandate from the great powers might yet resolve the crisis and I hope that you will undertake to make the United Nations an effective instrument for stabilizing the situation and reducing the present great danger of armed confrontation between the United States and the Russia Soviet Union.

## NECESSARY TO APPOINT A SPECIAL PROSECUTOR TO CONTINUE WATERGATE INVESTIGATION

(Mr. TAYLOR of North Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TAYLOR of North Carolina. Mr. Speaker, today I am joining those who are insisting that a special prosecutor be appointed to continue the Watergate investigations. I have introduced a bill which directs Judge John Sirica to appoint a special prosecutor and I hope that the judge will reappoint Archibald Cox.

It is wrong for the President or any other person to decide who can investigate him and how it shall be done.

The prosecutor must be free to exercise his own judgment and to follow the evidence wherever it leads. In order to reestablish public confidence, it is important that the people know that he has such freedom.

Hopefully either President Nixon or Judge Sirica will take quick action to recreate the special prosecutor's office and the passage of this legislation will not be necessary.

## THE LATE HONORABLE DAVID HOGG

(Mr. ROUSH asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROUSH. Mr. Speaker, I rise with regret to announce the death of a former Member of the House of Representatives, David Hogg.

Mr. Hogg passed away last Tuesday evening; he was 86 years of age. He served in the House of Representatives from March 4, 1925, to March 3, 1933. Until his last illness he was active in the practice of law in Fort Wayne, Ind., and commanded great respect from his colleagues because of his keen mind and outstanding ability. He was recognized as a legal advocate and scholar.

Mr. Hogg was born near Crothersville, Jackson County, Ind., August 21, 1886; he attended the common schools, was graduated from Indiana University College of Liberal Arts at Bloomington in 1909, and from the law department of Indiana University in 1912, was admitted to the bar in 1913 and commenced practice in Fort Wayne, Ind.

He was active in the affairs of the Republican Party; served as chairman of the Allen County Republican Committee 1922–24. Mr. Hogg was a dedicated church layman and devoted much of his time and energies to the work of his church.

Mr. Speaker, I had great personal admiration for Mr. Hogg. He was a man of great integrity and a pillar of strength in his profession, in his church, and in his community. I wish to extend my own heartfelt condolences to his widow, Mildred. May God sustain her in this hour of sorrow.

## REFERRAL OF BILLS ON WATERGATE-RELATED MATTERS TO SUBCOMMITTEE ON CRIMINAL JUSTICE

(Mr. HUNGATE asked and was given permission to address the House for 1 minute, and to revise and extend his remarks.)

Mr. HUNGATE. Mr. Speaker, various bills relating to the creation of a special independent prosecutor and extension of the grand jury term for Watergate and Watergate-related matters have been referred to the Subcommittee on Criminal Justice of the Committee on the Judiciary.

Hearings are beginning Monday. Further announcements will be made later today after the subcommittee meets to consider appropriate procedures to follow.

## IMPEACHMENT RESOLUTION

(Mr. RIEGLE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RIEGLE. Mr. Speaker, I rise to say that I am today filing a formal resolution of Presidential impeachment. The bill of particulars covers five specific criminal violations. I hope and expect that the Committee on the Judiciary will carefully examine each item.

It is also my intention to later file a further article to this bill of particulars

on another matter, namely, criminal violations in the manipulation of milk price supports in exchange for campaign contributions.

As I have said before, there can be only one set of laws in America, and they must apply equally to all of us. A President who violates the law must be removed from office. There is no other recourse.

## PERMANENT DAYLIGHT SAVING TIME

(Mr. HANRAHAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HANRAHAN. Mr. Speaker, for many years now, Americans have dutifully switched their clocks forward and backward in spring and fall—on and off daylight saving time, never questioning the wisdom behind continuing this practice. Now it appears to me that it is in the national interests to establish a permanent daylight saving time, for several reasons:

First, it has been clearly demonstrated that automobile drivers are more tired, less alert, and more often under the influence of alcohol during evening rush hours than morning rush hours—why compound that problem with darkness? Great Britain has experienced a 3.2-percent decrease in traffic fatalities since establishing permanent daylight saving time.

Second, research studies indicate that America's crime rate may be reduced by the established of year-round daylight saving time.

And finally, and most importantly, our Nation is now in the midst of a serious energy crisis which is expected to get worse, unless we citizens learn to conserve our precious, limited supply of fuel. Studies indicate that the establishment of a year-round daylight saving time would reduce America's fuel consumption by a minimum of 2 percent. While that figure may sound relatively insignificant, in actuality we are talking about at least 30,000 barrels of oil a day. It is the many small steps such as these which we can take, that will add up in the long run to sizable savings in fuel consumption.

I think this practical means of conserving our limited amounts of fuel should be implemented immediately. If Congress can expeditiously provide for the elimination of TV blackouts of football games, it can expeditiously serve the Nation's best interests by establishing year-round daylight saving time. For this reason, I ask my colleagues support of legislation I am today introducing to extend daylight saving time to the entire calendar year.

## CONSUMERS-FARMERS EXPECT MEAT PRICE REDUCTION

(Mr. ZWACH asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ZWACH. Mr. Speaker, on October 12, Secretary of Agriculture Butz told the National Association of Food Chains that supermarkets have fattened their profit margins instead of cutting their retail prices on beef and pork.

Secretary Butz concluded that consumers and producers alike expect that every cent less the producer receives on his cattle and hogs should be realized and passed on in retail savings on beef and pork to consumers.

I agree with the Secretary. To date we have seen little or no reduction in supermarket prices since the going rate to producers has dropped about one-third.

Back on August 14 live cattle prices reached $57.50 per hundred pounds at south St. Paul. Yesterday the prices had dropped to $40.75 per hundred pounds, a decline of $16.75 in 2 months.

Also on August 14, live hog prices reached $61.50 per hundred pounds. Yesterday the price had dropped to $44 per hundred pounds, a decline of $17.50 in 2 months.

Yet the retail prices on beef and pork have not receded proportionally. I think it is time for prices paid by consumers to reflect the decrease in price received by producers. After all, when supermarket prices rose because of increased prices to producers, consumers screamed bloody murder. Now wholesale prices are down on beef and hogs, but supermarket prices remain high.

Is the farmer to blame for this? I say no. I say it is time to look to the middleman, the processor, the transportation firms, and the supermarket ownership and management for some of the answers for the increase in supermarket prices. I contend, as Secretary Butz contends, that the farmer is not to blame for the continued high prices of beef and pork in the local supermarkets.

## U.S. TROOPS MUST NOT BE COMMITTED IN THE MIDEAST WITHOUT CONGRESSIONAL AUTHORIZATION

(Mr. SCHERLE asked and was given permission to address the House for 1 minute, to revise and extend his remarks, and to include extraneous material.)

Mr. SCHERLE. Mr. Speaker, today I have introduced the following resolution:

RESOLUTION

*Resolved,* That it is the sense of the House of Representatives that United States combat troops not be introduced, committed, or involved, in any way or manner, directly or indirectly, in the present armed conflict in the Middle East without prior Congressional authorization.

The purpose of this resolution is to prevent the Congress from passing another Gulf of Tonkin resolution which would give the executive branch blanket authority to engage in the Mideast conflict to whatever extent they feel necessary. If we learned one thing from the Vietnam conflict it is that any commitment of American manpower should be carefully reviewed by the Congress. It is imperative that the United States continue to supply assistance to Israel—short of manpower—at the same level that the Russians are aiding the Arabs nations. Americans hope for a quick cessation of hostility in that area of the world.

## THE UNITED STATES WILL STAND BY COMMITMENTS

(Mr. PEYSER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PEYSER. Mr. Speaker, I am deeply disturbed by today's announcement of the potential movement of Russian forces to the Middle East.

We in Congress have recently had many discussions about domestic situations affecting congressional and Presidential prerogatives. But I think it important at this point that we reassure the world that Americans do have direction, that we do have purpose, and that we will stand by our commitments around the world.

I am confident that in spite of developments of recent days that the executive and the legislative branches of our Government will work closely together to protect our national interests and security.

Mr. Speaker, we are a strong and proud Nation that believes in peace and in justice. Let no nation of the world sell the United States short on courage or resolve.

## INTERFERENCE WITH LEGISLATIVE RESPONSIBILITY OF JUDICIARY COMMITTEE

(Mr. RAILSBACK asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RAILSBACK. Mr. Speaker, I have had the privilege of serving on the House Judiciary Committee since being elected to Congress in 1966 and have always been impressed with the cooperation and impartiality of the members of the committee in working for constructive and meaningful legislation. This year, it seems to me, we have not been very productive and it is becoming more and more apparent that we are losing some of the bipartisan cooperation.

We have much unfinished business, including the confirmation hearings on GERALD FORD, revision of the Criminal Code, parole reform, rules of evidence, death penalty legislation, copyright revision, newsmen's privilege, and many other important matters.

Now we are told, via the press, that the House Judiciary Committee is going to begin a "broad scale" investigation into "Watergate related" matters and other matters concerning the "President's conduct." All of these things were done, as far as I know, without consultation with the minority members of the Judiciary Committee and in some cases, I suspect, without authorization by the committee.

If the Judiciary Committee is to regain its rightful position as an effective legislative body then there has to be cooperation, there have to be priorities established, and there have to be ground rules set. I am particularly troubled by reports that the chairman seeks subpena power for himself. The demonstrated lack of communication on the Judiciary Committee makes it imperative that the full committee act as a collegial body in exercising its subpena power and not

grant a special authority to a single individual.

The procedures outlined by the chairman could result in an unparalleled fishing expedition and seriously interfere with our designated legislative responsibility.

## CONGRESSMAN WHALEN INTRODUCES SPECIAL PROSECUTOR'S BILL

(Mr. WHALEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.

Mr. WHALEN. Mr. Speaker, I today have introduced a bill to establish a special independent Watergate prosecutor under the judicial branch of Government.

Appointment authority would be in the hands of the chief judge of the U.S. District Court for the District of Columbia, who presently is John Sirica.

My intent in proposing this legislation is to provide for a continuation of the undertaking initiated by former special prosecutor Archibald Cox but to create that office outside of the Executive branch. Over the weekend, I indicated my intention to seek support for special prosecutor legislation which House Judiciary Chairman RODINO and I sponsored earlier this year. That proposal, however, provided for the President to name the special prosecutor, which, under the present circumstances, makes the bill unsuitable.

## THE CASE OF EITON FINKELSTEIN

(Mr. CONTE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CONTE. Mr. Speaker, emigration from the Soviet Union is not free. The Soviet Jews are especially victimized by the harsh emigration practices of the Soviet passport office.

Eiton Finkelstein, a former physics graduate student from Vilna, Lithuania, is one of these victims. In 1967 Finkelstein applied for and was denied an emigration permit to Israel. This action resulted in his expulsion from the Moscow Physics-Technical Institute. Employment in his field was barred to him, and he now does unskilled work in a metal crafts factory.

The passport office keeps denying him permission on the ground that he is in possession of "secret information" because of his graduate work. But Finkelstein has not attended the institute in 5 years, and denying him a visa on security grounds is no longer applicable.

He is being subjected to harassment by the KGB, the Soviet Secret Police, in order to discourage others from applying for emigration permits. His friends fear that he will soon meet the fate of other activists and that he will be imprisoned.

Although he has been denied a visa about 20 times, Finkelstein's determination to emigrate to Israel remains undiminished, for with the extinction of Jewish cultural and educational institutions, and with only a token number of synagogues open, he sees no future for the Jewish people in the Soviet Union.

Mr. Speaker, nations that seek trading relations with us should adhere to a principle enunciated in the Universal Declaration of Human Rights; namely, the right of free emigration. It is therefore incumbent upon this Congress to stand behind the Mills-Vanik amendment.

## VICE PRESIDENCY SHOULD BE FILLED TO REMOVE CONFLICT OF INTEREST

(Mr. SHUSTER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SHUSTER. Mr. Speaker, I most respectfully suggest that if the impeachment question which is being discussed were viewed as part of the judicial process, participants with a conflict of interest would disqualify themselves from participation.

I believe it follows that so long as there is no Vice President the Members of the majority party have an obvious conflict of interest in that their party stands to gain the Presidency if our present President is removed.

If the Members of the majority party put their country above politics, as I believe the vast majority of them do, they will move expeditiously to fill the Vice Presidency and thereby remove an obvious conflict of interest.

## ALERT FOR MILITARY DRAMATICALLY ILLUSTRATES NEED FOR WAR POWERS BILL

(Mr. FINDLEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FINDLEY. Mr. Speaker, I want to express my agreement with the remarks made by my colleague, the gentleman from Wisconsin (Mr. ZABLOCKI) expressing his regret that the President did see fit to veto the war powers bill. It is one of the ironic twists of history that on the very same day the American people received news that some of our forces have been placed on alert over the Middle East crisis they would also receive news that the President had seen fit to veto the war powers bill.

The events of recent days I think illustrate dramatically the need for Congress to put on the statute books this very carefully constructed war powers bill and I hope when the day comes my colleagues will join me to override the veto.

## EMERGENCY MEDICAL SERVICES SYSTEM ACT OF 1973

Mr. LONG of Louisiana. Mr. Speaker, by direction of the Committee on Rules I call up House Resolution 655 and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. RES. 655

*Resolved*, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 10956), the Emergency Medical Services Systems Act of 1973. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interstate and Foreign Commerce, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit. After the passage of H.R. 10956, the Committee on Interstate and Foreign Commerce shall be discharged from the further consideration of the bill, S. 2410, and it shall then be in order in the House to move to strike out all after the enacting clause of the said Senate bill and insert in lieu thereof the provisions contained in H.R. 10956 as passed by the House.

The SPEAKER. The gentleman from Louisiana is recognized for 1 hour.

Mr. LONG of Louisiana. Mr. Speaker, I yield the usual 30 minutes to the minority to the distinguished gentleman from Tennessee (Mr. QUILLEN), pending which I yield myself such time as I may consume.

Mr. LONG of Louisiana. Mr. Speaker, House Resolution 655 provides for an open rule with 1 hour of general debate on H.R. 10956, a bill to create the Emergency Medical Services Systems Act of 1973.

House Resolution 655 also provides that it shall be in order to move to strike out all after the enacting clause of S. 2410 and insert in lieu thereof the provisions contained in H.R. 10956 as passed by the House.

Mr. Speaker, H.R. 10956 proposes to create new authority under the Public Health Service Act for the development and improvement of emergency medical services.

This measure is identical to S. 504 which was passed by Congress in July of this year and vetoed by the President on August 2, 1973, except that it does not contain the provision relating to the continued operation of the public health service hospitals. The hospital provision has since been incorporated into another bill and the conference report containing this matter is expected to come back to the House floor soon.

The estimated cost of this bill is $185 million over a 3-year period. It authorizes grants and contracts for feasibility studies, planning, establishment, operation, and expansion of emergency medical systems as well as research and training to save lives.

Mr. Speaker, this bill can help to save thousands of lives each year so I urge adoption of House Resolution 655 in order that we may discuss and debate H.R. 10956.

Mr. QUILLEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, House Resolution 655

provides for the consideration of H.R. 10956, the Emergency Medical Services Systems Act of 1973. This is an open rule with 1 hour of general debate. In addition, the rule makes it in order to insert the House-passed language in the Senate bill, S. 2410.

The primary purpose of H.R. 10956 is to provide new authority for the support of emergency medical services.

This bill is identical to the emergency medical services bill vetoed by the President earlier this year, except that it does not contain the provisons relating to the continued operation of the Public Health Service hospitals.

This bill authorizes programs of grants and contracts for planning, establishment and expansion of emergency medical systems. It provides funds for research and training. This bill also provides that there be established an Interagency Committee on Emergency Medical Services.

The total cost of his bill is estimated at $185,000,000.

Mr. Speaker, I urge the adoption of the rule so the bill may be acted upon.

Mr. Speaker, I yield 5 minutes to the distinguished gentleman from Kentucky (Mr. CARTER).

Mr. CARTER. Mr. Speaker, the bill we are considering, H.R. 10956, The Emergency Medical Services Systems Act of 1973, is a truly significant piece of legislation. It would assist communities throughout the Nation to develop and improve their emergency medical services systems. In so doing, the bill would contribute directly to saving tens of thousands of lives each year.

There is, however, one serious shortcoming in this bill. It does not provide enough assistance directed specifically to rural areas. In 1972 twice as many people died from accidental deaths in rural areas as did in urban and suburban areas. This is particularly telling when one considers that only 25 percent of the Nation's people live and work in our rural areas. It leads one to the very obvious conclusion that the emergency systems in rural communities are not able to keep pace with their area needs.

For this reason, with the approval of the distinguished gentleman from Kansas (Mr. ROY), I am offering amendments to H.R. 10956 which would assure more assistance to the needy rural areas.

I should very quickly note that these provisions would in no way change the structure of the program authorized by this bill. The dollar level will stay exactly the same—$185 million over the next 3 years.

It is also important to note that the Senate adopted a similar set of amendments for its emergency medical services bill.

The first of these amendments would allow the Federal Government to pick up 75 percent of the cost of improving or expanding emergency medical services systems in needy areas. As the bill is presently written, no area can receive more than 50 percent Federal funding for these purposes. Such a limitation may be well for most areas of the Nation, but it would work a very real hardship on many of our poorer rural localities. These areas would find it difficult, if not impossible, to pay half the cost of purchasing sophisticated equipment and implementing up-to-date systems.

The second amendment would simply assure that there will be at least some funding priority given to research projects dealing with rural emergency services. Certainly the entire emergency medical services field is ripe for innovative research, but the problems of rural America are particularly acute. Funding priority for this research specialty would provide a much needed boost for these worthwhile efforts.

The third amendment in which Dr. ROY of Kansas and I concur would increase the rural set-aside from 15 percent, as it now appears in the bill, to 20 percent.

As I have already indicated, a greatly disproportionate share of accidental deaths occur in rural America. Distances between facilities are great and manpower is in short supply in these areas. Furthermore, rural communities generally have little in the way of financial resources with which to initiate needed improvements.

Therefore, Mr. Speaker, I strongly support H.R. 10956 with the amendments the gentleman from Kansas and I have agreed upon.

Mr. ROY. Mr. Speaker, will the gentleman yield?

Mr. CARTER. I am happy to yield to the distinguished gentleman.

Mr. ROY. I think my colleague from Kentucky with whom I have worked closely on the emergency medical services bill and on the amendments he so carefully explained. I want to emphasize, with him, the need for emergency medical services in rural areas.

Deaths due to accidents in rural areas have been reduced in recent years as a result of greater concern for safe living and working conditions and by improvements in emergency health services. Farming, however, remains the third most perilous occupation. Automobile accidents that occur in rural areas are more often fatal than those that occur in urban areas. In rural North Dakota, fatal accidents occur at a rate of 63.4 per 100,000 people and in Mississippi it ran 70.1 per 100,000 people. By comparison, urban States, such as New York and Massachusetts, have rates of 41.8 and 41.7 per 100,000 people.

So we can see that accidents do occur more often, and are more frequently fatal, in rural areas. Adequate emergency medical services would serve to improve this situation markedly.

In addition, 34.8 percent of the Nation's population live in nonmetropolitan areas and they receive much less than that proportion of funds from HEW for support of medical programs and services.

For example, less than 10 percent of all health research and development program dollars went to nonmetropolitan areas in fiscal year 1970.

The SPEAKER. The time of the gentleman has expired.

Mr. QUILLEN. Mr. Speaker, I yield the gentleman 2 additional minutes.

Mr. CARTER. Mr. Speaker, I yield further to the gentleman from Kansas.

Mr. ROY. Thank you. Approximately 15 to 20 percent of the comprehensive health planning money goes to nonmetropolitan areas.

About one-eighth of total regional medical programs spending is in nonmetropolitan areas.

In view of this record, I think it is obviously necessary that we place a minimum on the amount of emergency medical services money to be spent in rural areas.

I am very happy to support the amendment of the gentleman from Kentucky (Mr. CARTER) to do that. I appreciate his support on the amendment to go to 75 percent of the grants for rural areas to instruct the Secretary to give special consideration to applications for grants or contracts for research relating to the delivery of emergency medical services in rural areas.

I thank the gentleman for yielding.

Mr. CARTER. I was happy to yield to the gentleman.

Certainly it is a pleasure to work with him on the Subcommittee on Public Health and Environment.

Mr. QUILLEN. Mr. Speaker, I yield such time as he may consume to the gentleman from Virginia (Mr. BROYHILL).

(By unanimous consent, Mr. BROYHILL of Virginia was allowed to speak out of order.)

A TIME FOR FORTHRIGHT ACTION IS AT HAND

Mr. BROYHILL of Virginia. Mr. Speaker, the definitive decision in the long controversy over Watergate, special prosecutors, and White House tapes came not from the Supreme Court nor from a committee of Congress but from the American people, including those in the 10th District of Virginia I have the honor to represent.

It was a voice of citizen concern for their country, a collective voice that was heard loud and clear in the Halls of Congress, the corridors of Justice, and the Oval Room at the White House.

I am proud of those who raised their voices and cast their ballot on behalf of a troubled nation. It came at the right time in the right way from reasonable men and women, not in a rage or rebellion but with the solemn conviction that all facts, all truths, all injustices must be laid on the table in final adjudication.

It is my belief that the Congress, the courts, and the Executive will now proceed to examine without prejudgment, free of the prejudice of political bias, and news media hysteria, every facet of the Watergate and related affairs, however long and tedious the task.

As a Member of Congress, I understand President Nixon's concern for the confidentiality involved in affairs of state. Initially, I supported the President's position on the confidentiality of the conversations that took place in the privacy of his office.

I have had literally thousands of conversations with and tens of thousands of letters from those I have represented

during my 21 years of service of a highly personal nature, involving their marital, health, family, employment, retirement, and their political problems and I have respected those confidences as they expected I would.

I honor the President's anxiety over the same issue and I share his convictions that out of the chaos of today the concern of tomorrow must not be neglected.

Our Founding Fathers, as I read the Constitution of the United States, gave no authority to a committee of Congress, nor a single Member thereof to force the executive branch into acts detrimental to national security and well-being. Nor does the Constitution allocate such powers to a single Federal judge, however lofty, his legal apprehension.

We have a tripartite government and all issues of vital concern to the Nation must be sifted through the constitutional thicket, however befuddling the maze, if the Republic is to function as it has for almost 200 years.

We do not have a fourth branch of Government, only three, and none of these include the mass media, political organizations, nor organized pressure groups.

Nonetheless, the American people have emphasized the fact, by their response, that they want extraordinary measures to be taken in this case, even though it means a temporary abandonment of the principle of confidentiality of the oval office of the President insofar as the Watergate affair is concerned. This is the only way this response can be interpreted. Therefore, the President, the Congress, and the courts must comply with the people's decision.

I believe there is a cleared path to the truth we seek. It is readily apparent the American people want a special prosecutor to get at the full facts in this whole affair. If there is to be another one and I think there should be, his role should be most clearly delineated and his ultimate responsibility must be to the American people.

All three branches of Government may have made mistakes in trying to get at the truth of Watergate. If so they must now tread with precision into the morass of misdeeds, real or imagined, if the voice from the American people is to be answered with honor, as it must be.

We are a Nation of new beginnings. We are a people of deep understanding and compassion for the mistakes of men, both those who govern and those who are governed. Now more than ever, we must test that compassion with precision, justice, and fairness. The time of political and press hysteria has ended. The time for hard decisions and forthright congressional and judicial action is at hand.

I am convinced the President understands this; I am convinced the Congress understands; I am convinced our courts will respond to this.

I believe the talk of impeachment has encouraged prejudice and political rabble-rousing. I believe it should be held in abeyance until the legally constituted arms of our democracy have had time to comply with the decision of the American people, without interference, cover-up, or fear of the truth.

The American people have had the courage to speak collectively across this land. The challenge for the truth, lies now in the hands of those who govern. It is a challenge that stretches across political partisanship, the public survival of any officeholder, and of every level of business or industry. The President's action in turning over the tapes to the court is proof he, too, holds this conviction.

No man is above the law. Each man has a right to test the law as he sees fit, within the framework provided by the system of government available to all. Each should have the right to bring that test to the bar of justice, free from preconviction allegations outside the realm of justice, and with every protection provided by our judicial system including the rights of the President of the United States.

This, I believe, is what the American people have cried out for; this, I believe, is what the American people justly deserve in their concern for their future; this is what I stand for and have spoken out for.

I believe we are on our way to securing it, and will do so in protection of our national interest and the orderly process of government.

Mr. QUILLEN. Mr. Speaker, I have one more request for time, and I yield 3 minutes to the distinguished gentleman from Minnesota (Mr. NELSEN).

Mr. NELSEN. Mr. Speaker, I will be brief in my remarks, as this is the second time in but a few weeks that we are considering emergency medical services legislation.

The bill before us represents, word for word, the finished product of the House—Senate conference committee on the preceding emergency medical services measure. There is, however, one critical distinction—this bill contains no amendment relating to the Public Health Service hospitals.

It was the inclusion of the PHS hospital provision which compelled me to vote against the original bill. Without that amendment, I am now able to give, as I indicated I would, my full support to this bill, H.R. 10956.

The measure now under consideration would provide assistance to qualifying governmental and not-for-profit entities to plan and develop comprehensive emergency medical services. Funds are also available to assist currently functioning systems to expand and improve their services.

In assuring the availability of adequate emergency services it is not enough to provide for ambulances and drivers alone. Certainly these are important commodities, but they are only the very basic roots of an effective system. Ambulances are of no use if there are no staffs to man them. These staffs should be ready to serve the emergency victim any time of the day or night. Emergency situations do not occure on a convenient 9 to 5 schedule, 5 days a week. They can happen any time, and usually seem to happen at the least convenient times.

Our bill requires that grantee systems maintain adequate vehicles and always-ready, well-trained staffs to man those vehicles.

There are several other requirements, or mandatory goals set forth in the bill. Some of these deal with communications, emergency room availability, development of an areawide disaster plan and proper coordination with neighboring systems.

In all honesty, this very extensive list of requirements caused me some concern. In certain areas of our country it will not be easy to satisfy each and every one of these items. For this reason we have given the Secretary of HEW authority to extend the time period in which a locality must comply with difficult requirements. If, after a proper showing, the Secretary determines that it is absolutely impossible for a locality to meet a certain provision, he may approve a reasonable, workable alternative for that area.

I am confident now that this program, if properly administered, should not exclude any area because of a lack of ability to achieve certain highly sophisticated objectives.

The bill also provide a 15-percent set-aside for rural areas. This, I want to strongly emphasize, is only a minimum figure. Two-thirds of the accidental deaths which occur in this country are in the rural areas. Considering that only 25 percent of our population lives in these areas, and that less than half of the accidents occur there, this alarming two-thirds death figure makes it apparent that rural emergency services are, by far, the least adequate. This situation is compounded by a shortage of skilled planning and medical personnel in these areas. I would hope that rural America is not made a poor sister in this program. Adequate funds and technical assistance must be made available to rural localities if this program is to effectively deal with our Nation's most needy areas.

I would ask my colleagues to note that what we have employed in this legislation is a seed money approach. We do not intend to have the Federal Government replace local governments in accepting prime responsibility for financing and operating emergency medical services systems. This is now, and shall remain, a proper function for the local communities. We are merely providing seed money to get these smaller units of government over the hump toward developing truly superior emergency medical services programs.

Mr. Speaker, this is an important, life-saving program and I urge my colleagues to support it.

Mr. LONG of Louisiana. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. CHARLES H. WILSON of California. Mr. Speaker, I object to the vote on the ground that a quorum is not pres-

ent and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 380, nays 2, not voting 52, as follows:

[Roll No. 551]

YEAS—380

| | | |
|---|---|---|
| Abdnor | Dellenback | Hutchinson |
| Abzug | Dellums | Ichord |
| Adams | Denholm | Jarman |
| Addabbo | Dennis | Johnson, Calif. |
| Alexander | Dent | Johnson, Pa. |
| Anderson, Calif. | Devine | Jones, Ala. |
| | Dickinson | Jones, N.C. |
| Anderson, Ill. | Diggs | Jones, Okla. |
| Andrews, N.C. | Donohue | Jones, Tenn. |
| Andrews, N. Dak. | Downing | Jordan |
| | Drinan | Karth |
| Annunzio | Dulski | Kastenmeier |
| Archer | Duncan | Kazen |
| Arends | du Pont | Keating |
| Armstrong | Eckhardt | Kemp |
| Ashbrook | Edwards, Ala. | King |
| Badillo | Edwards, Calif. | Kluczynski |
| Baker | Eilberg | Koch |
| Barrett | Erlenborn | Kuykendall |
| Bauman | Esch | Kyros |
| Beard | Eshleman | Landrum |
| Bell | Evans, Colo. | Latta |
| Bennett | Evins, Tenn. | Leggett |
| Bergland | Fascell | Lehman |
| Bevill | Findley | Lent |
| Biaggi | Fish | Litton |
| Biester | Fisher | Long, La. |
| Bingham | Flood | Long, Md. |
| Boggs | Flowers | Lott |
| Bolling | Flynt | Lujan |
| Bowen | Foley | McClory |
| Brademas | Ford, Gerald R. | McCloskey |
| Bray | Ford, William D. | McCollister |
| Breaux | | McCormack |
| Breckinridge | Forsythe | McDade |
| Brinkley | Fountain | McEwen |
| Brooks | Fraser | McFall |
| Broomfield | Frelinghuysen | McKay |
| Brotzman | Frenzel | McKinney |
| Brown, Calif. | Frey | McSpadden |
| Brown, Mich. | Froehlich | Madden |
| Broyhill, N.C. | Fulton | Madigan |
| Broyhill, Va. | Fuqua | Mahon |
| Burgener | Gaydos | Mallary |
| Burke, Calif. | Giaimo | Mann |
| Burke, Mass. | Gibbons | Maraziti |
| Burleson, Tex. | Gilman | Martin, Nebr. |
| Burlison, Mo. | Ginn | Martin, N.C. |
| Butler | Gonzalez | Mathias, Calif. |
| Byron | Goodling | Mathis, Ga. |
| Camp | Grasso | Matsunaga |
| Carey, N.Y. | Green, Pa. | Mayne |
| Carney, Ohio | Griffiths | Mazzoli |
| Carter | Gross | Meeds |
| Casey, Tex. | Gubser | Melcher |
| Cederberg | Gude | Metcalfe |
| Chamberlain | Gunter | Mezvinsky |
| Chappell | Guyer | Michel |
| Chisholm | Haley | Milford |
| Clancy | Hamilton | Miller |
| Clark | Hammer-schmidt | Minish |
| Clausen, Don H. | | Mink |
| | Hanley | Minshall, Ohio |
| Clay | Hanna | Mitchell, Md. |
| Cleveland | Hanrahan | Mitchell, N.Y. |
| Cochran | Hansen, Idaho | Mizell |
| Cohen | Harsha | Moakley |
| Collier | Hays | Mollohan |
| Collins, Ill. | Hébert | Montgomery |
| Conable | Hechler, W. Va. | Moorhead, Calif. |
| Conte | Heckler, Mass. | |
| Corman | Heinz | Morgan |
| Cotter | Helstoski | Murphy, Ill. |
| Coughlin | Henderson | Murphy, N.Y. |
| Crane | Hicks | Natcher |
| Cronin | Hillis | Nedzi |
| Culver | Hinshaw | Nelsen |
| Daniel, Dan | Hogan | Nichols |
| Daniel, Robert W., Jr. | Holifield | Nix |
| | Holt | Obey |
| Daniels, Dominick V. | Holtzman | O'Brien |
| | Horton | O'Hara |
| Danielson | Hosmer | O'Neill |
| Davis, Ga. | Howard | Owens |
| Davis, S.C. | Huber | Parris |
| Davis, Wis. | Hudnut | Passman |
| de la Garza | Hungate | Patman |
| Delaney | Hunt | Patten |
| Pepper | Sarasin | Tiernan |
| Perkins | Sarbanes | Towell, Nev. |
| Pettis | Satterfield | Treen |
| Peyser | Scherle | Udall |
| Pickle | Schneebeli | Ullman |
| Pike | Schroeder | Vander Jagt |
| Poage | Sebelius | Vanik |
| Podell | Shipley | Veysey |
| Powell, Ohio | Shoup | Vigorito |
| Preyer | Shuster | Waggonner |
| Price, Ill. | Sikes | Walsh |
| Price, Tex. | Skubitz | Wampler |
| Pritchard | Smith, Iowa | Ware |
| Quie | Smith, N.Y. | Whalen |
| Quillen | Snyder | White |
| Railsback | Spence | Whitehurst |
| Randall | Staggers | Whitten |
| Rangel | Stanton, J. William | Widnall |
| Rarick | | Wiggins |
| Regula | Stanton, James V. | Williams |
| Reuss | | Wilson, Bob |
| Rhodes | Stark | Wilson, Charles H., Calif. |
| Rinaldo | Steed | |
| Roberts | Steelman | |
| Robinson, Va. | Steiger, Ariz. | Wilson, Charles, Tex. |
| Robison, N.Y. | Steiger, Wis. | |
| Rodino | Stephens | Winn |
| Roe | Stokes | Wolff |
| Rogers | Stratton | Wyatt |
| Roncalio, Wyo. | Stubblefield | Wydler |
| Roncallo, N.Y. | Stuckey | Wylie |
| Rooney, N.Y. | Studds | Wyman |
| Rooney, Pa. | Sullivan | Yates |
| Rose | Symington | Yatron |
| Rosenthal | Symms | Young, Alaska |
| Rostenkowski | Talcott | Young, Fla. |
| Roush | Taylor, Mo. | Young, Ga. |
| Rousselot | Taylor, N.C. | Young, Ill. |
| Roy | Teague, Calif. | Young, S.C. |
| Roybal | Thompson, N.J. | Young, Tex. |
| Runnels | Thomson, Wis. | Zablocki |
| Ruppe | Thone | Zion |
| Ruth | Thornton | Zwach |

NAYS—2

Collins, Tex. Landgrebe

NOT VOTING—52

| | | |
|---|---|---|
| Ashley | Goldwater | Rees |
| Aspin | Gray | Reid |
| Bafalis | Green, Oreg. | Riegle |
| Blackburn | Grover | Ryan |
| Blatnik | Hansen, Wash. | St Germain |
| Boland | Harrington | Sandman |
| Brasco | Harvey | Saylor |
| Brown, Ohio | Hastings | Seiberling |
| Buchanan | Hawkins | Shriver |
| Burke, Fla. | Johnson, Colo. | Sisk |
| Burton | Ketchum | Slack |
| Clawson, Del | Macdonald | Steele |
| Conlan | Mailliard | Teague, Tex. |
| Conyers | Mills, Ark. | Van Deerlin |
| Derwinski | Moorhead, Pa. | Waldie |
| Dingell | Mosher | Wright |
| Dorn | Moss | |
| Gettys | Myers | |

So the resolution was agreed to.

The Clerk announced the following pairs:

Mr. Brasco with Mr. Shriver.
Mr. Gray with Mr. Myers.
Mr. Sisk with Mr. Saylor.
Mr. Teague of Texas with Mr. Mosher.
Mr. Blatnik with Mr. Mailliard.
Mr. Boland with Mr. Burke of Florida.
Mrs. Green of Oregon with Mr. Del Clawson.
Mrs. Hansen of Washington with Mr. Buchanan.
Mr. Reid with Mr. Derwinski.
Mr. St Germain with Mr. Bafalis.
Mr. Van Deerlin with Mr. Harvey.
Mr. Moorhead of Pennsylvania with Mr. Conlan.
Mr. Dingell with Mr. Blackburn.
Mr. Moss with Mr. Brown of Ohio.
Mr. Gettys with Mr. Goldwater.
Mr. Burton with Mr. Grover.
Mr. Riegle with Mr. Conyers.
Mr. Waldie with Mr. Hastings.
Mr. Mills of Arkansas with Mr. Sandman.
Mr. Dorn with Mr. Steele.
Mr. Hawkins with Mr. Ryan.
Mr. Ashley with Mr. Aspin.
Mr. Harrington with Mr. Rees.
Mr. Macdonald with Mr. Slack.
Mr. Wright with Mr. Seiberling.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Mr. STAGGERS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 10956) Emergency Medical Services Systems Act of 1973.

The SPEAKER. The question is on the motion offered by the gentleman from West Virginia (Mr. STAGGERS).

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 10956, with Mr. MATSUNAGA in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from West Virginia (Mr. STAGGERS) will be recognized for 30 minutes, and the gentleman from Minnesota (Mr. NELSEN) will be recognized for 30 minutes.

The Chair recognizes the gentleman from West Virginia.

Mr. STAGGERS. Mr. Chairman, I rise in support of H.R. 10956 a bill to give the Secretary of the Department of Health, Education, and Welfare new authority to support the development and expansion of emergncy medical services.

This legislation is by now familiar to all of you. H.R. 10956 is identical to the conference report on emergency medical services vetoed earlier by the President, except that the provisions dealing with the U.S. Public Health Service hospitals have been omitted. The legislation would, in summary, create new authority under the Public Health Service Act for assistance by the Secretary of Health, Education, and Welfare in the development and improvement of emergency medical services. Specifically, the bill:

First. Defines "emergency medical service systems" and specific requirements for such systems which applicants for assistance must meet to qualify for grants or contracts.

Second. Authorizes programs of grants and contracts for feasibility studies and planning establishment and initial operation, and expansion and improvement of emergency medical services systems.

Third. Authorizes programs of grants and contracts for research and training in emergency medical services; and

Fourth. Requires that these programs be administered through an identifiable administrative unit, that there be estab-emergency medical services, that an annual report be submitted to the Congress on the programs, and that a report be submitted to the Congress 1 year after enactment on legal barriers to the effective delivery of emergency medical services. The total cost over the next 3 years would be $185 million.

While you all know how much this legislation is needed, I would like to remind you of the need for this legislation with a few facts:

Our committee found in its hearings that one of the most visible and unnecessary parts of our country's health care crisis is the present deplorable way in which we care for medical emergencies: 55,000 people die every year in automobile accidents; 16,000 children die every year in accidents; 275,000 people die every year from heart attacks before they reach the hospital. Our committee believes that as many as 35,000 of these deaths could be prevented by adequate, effective emergency medical services. In addition untold injury and unnumbered dollars could be saved by these same services.

Experts have estimated, for instance, that the cost of accidental death, disability, and property damage is $28 billion a year. This is good legislation. This is legislation to which essentially all Members of the House have already committed their support. This is legislation which will save American lives. Therefore, I urge its adoption.

We have two eminent doctors on our committee and we are very fortunate in having both of them and I congratulate both of them. I understand that today they will offer three amendments which will be helpful to the rural areas of America. I believe when the amendments are explained to the committee that everyone will be in favor of them. They will give just a little bit more attention to the rural areas and do it without changing the amount of money in any way.

At this point I congratulate every member of the Public Health and Environment Subcommittee not only for the work they have done on this bill but also for the work they have done throughout the year.

Mr. PEPPER. Mr. Chairman, will the gentleman yield?

Mr. STAGGERS. I yield to the gentleman from Florida.

Mr. PEPPER. Mr. Chairman, I commend the able chairman, the gentleman from West Virginia and the members of the committee for this bill.

I want to ask the gentleman about one possibility. The city of Miami Beach, which is in my district, is spending about $300,000 a year keeping a number of emergency vehicles at the fire stations on the beach, fully equipped for emergency care for people who have acute illness. Each of these vehicles has a doctor in attendance in constant readiness to go with that vehicle to any emergency that might be occurring. Representatives of that group came here the other day to see me to determine whether or not that kind of thing, which they say has saved many lives already and within 2 minutes can get to any place on the beach with a doctor, might be helped by this bill, as well as others who have such systems for saving the lives of people. Is there any likelihood or possibility of that kind of program receiving assistance under this act?

Mr. STAGGERS. Yes, there is. It is temporary help, as all of the bill is. We do not plan to subsidize this program forever. We are just trying to get organized, to get the community started and into business on this. In all the areas of America where there is service they can use moneys for expansion and for modernization and they can get help in this way.

Mr. PEPPER. I would hope, Mr. Chairman, if the gentleman will yield further, that as this measure develops and progresses from time to time and with the experience that will be acquired under it, that it might expand if it is not already at that point, so the cities as well as rural areas might be encouraged to set up such systems of giving aid. Would that be compatible with the ideas of the gentleman and the able members of his committee to work toward that objective?

Mr. STAGGERS. That is the real objective of the bill, to have such services all over America, and when it gets to working properly the Federal Government will get out of it.

Mr. NELSEN. Mr. Chairman, will the gentleman yield?

Mr. STAGGERS. I yield to the gentleman from Minnesota.

Mr. NELSEN. Mr. Chairman, I join the gentleman from West Virginia in support of the bill and also the amendments which will be offered by our two distinguished Members as the gentleman mentioned. This is a better bill.

Mr. GERALD R. FORD. Mr. Chairman, will the gentleman yield?

Mr. STAGGERS. I yield to the gentleman from Michigan.

Mr. GERALD R. FORD. Mr. Chairman, I appreciate the chairman of the Interstate and Foreign Commerce Committee yielding to me.

I have assured the chairman and others on the committee privately that despite the comments I made during the debate on the veto or at the time of the conference report, or in consideration of the bill in the House that I would support a second version only if it literally followed the proposal that was before us at that time. I do approve of this bill now on the floor. In addition I will support it if there are some reasonable adjustments that I understand may be offered in the form of several amendments. In other words, what I am saying is that my previous comments were not literal, my comments were figurative. I am flexible as to the amendments I understand may subsequently be introduced.

I appreciate the chairman yielding so I may clarify my previous comments.

Mr. STAGGERS. Mr. Chairman, I appreciate the remarks of the distinguished minority leader. I think the three amendments have been discussed with him, and I think he is in support of these three amendments because, in my opinion and I think also in his opinion, they make a stronger bill and a more equitable bill.

Mr. GERALD R. FORD. Mr. Chairman, that is my understanding, that it makes it a better bill with some adjustments to take care of unique situations.

Therefore, with those amendments, I support the legislation which is on the floor from the Committee on Interstate and Foreign Commerce, and I appreciate very much this opportunity to clarify my position.

Mr. STAGGERS. Mr. Chairman, I am very happy to have those comments, because so far as I know, the committee will certainly fight any other amendments which will be coming up. We have been through this several times. I do think the three amendments will make a stronger and more equitable bill.

Mr. Chairman, I yield to the gentleman from Pennsylvania, a member of the committee.

Mr. HEINZ. Mr. Chairman, I would like to join in the spirit of the minority leader's remarks, and also rise to compliment the chairman of the committee, Mr. STAGGERS, for his cooperation and hard work; also, our subcommittee chairman, Mr. ROGERS of Florida, for the excellent and expeditious manner in which he has presented this bill.

I rise in support of H.R. 10956, the Emergency Medical Services Act.

As a long supporter of EMS, and as a cosponsor of this years original EMS bill as reported from our Health Subcommittee, I believe the need for upgraded and coordinated emergency medical services in this country is absolutely clear. A simple investigation of the appalling toll of highway accidents and heart attacks reveals the thousands of American lives that could be saved if prompt and proper medical care were given at the scene and en route to the hospital. Hearings before our Health Subcommittee uncovered the fact that each year 15 to 20 percent of all highway victims could be saved if prompt and effective emergency care were available. 8,000 to 11,000 highway deaths would be prevented each year. In addition, 10 percent of the 275,000 heart attack fatalities could be saved by proper emergency care.

In just these two areas alone, auto accidents and heart attacks, each year as many as 35,000 Americans could be saved from tragic, unnecessary deaths.

As a cosponsor of the Emergency Medical Services Act, I believe Congress must act now to correct the weaknesses in this country's emergency medical facilities and practices. This year $350 will be spent on health care for every man, woman, and child in America, yet only 83 cents of that will finance emergency medical services. The results of this minuscule investment in emergency health care are a national scandal:

Only 10 percent of all emergency rooms are equipped to handle grave medical and surgical emergencies;

Only 17 percent of acute care hospitals have 24-hour physician staffing;

Only 5 percent of America's ambulance personnel have had adequate first aid training;

Each year more than 20,000 Americans are permanently injured or disabled by untrained ambulance attendents.

There is a need, therefore, for Federal assistance that will assure people the emergency care they desperately need. That is why we need this EMS bill—to help our States and local communities forge ahead in developing first-class emergency health services in their areas. In the Pittsburgh area, part of which

I represent, Federal assistance when combined with the dedicated health professionals in western Pennsylvania comprehensive health planning and at the University of Pittsburgh Medical School, will mean that necessary training and equipment will be supplied and a true system of emergency medical care will be developed and coordinated in the Pittsburgh area.

Mr. Chairman, I salute the Public Health and Environment Subcommittee chairman, PAUL ROGERS, for his prompt action on EMS. While this legislation had to be returned to the subcommittee because of an earlier Presidential veto sustained by the House, the distinguished gentleman from Florida exercised his usual wise and timely leadership paving the way for a successful bipartisan partnership to make quality emergency medical services a reality.

I urge all my House colleagues to give this critical legislation their wholehearted support.

Mr. NELSEN. Mr. Chairman, I yield such time as he may consume to the gentleman from Minnesota (Mr. FRENZEL).

Mr. FRENZEL. Mr. Chairman, I rise to congratulate the committee for bringing this needed bill back to us after removing the nongermane Public Health Service hospitals amendment.

I particularly salute my distinguished colleague from Minnesota, ANCHER NELSEN, for his work in insisting that emergency medical services be considered separately on its own merits. As one of his cosponsors, I know it will be approved today because it is a good step forward in helping to develop vitally needed emergency medical services.

Also, as one who voted to sustain the prior veto because of the offending Public Health Services amendment, I am pleased to have the opportunity to help move this worthy measure forward.

Again, I want to thank the distinguished gentleman from Minnesota for his leadership, without which this measure might never have appeared before us. I urge passage of this bill.

Mr. NELSEN. Mr. Chairman, I yield such time as he may consume to the gentleman from Oklahoma (Mr. CAMP).

Mr. CAMP. Mr. Chairman, I strongly support the Emergency medical services systems legislation we have before us today and urge my colleagues to vote for H.R. 10956, which I consponsored.

Current statistics on accidental deaths and disabilities are more than alarming. They indicate that traffic fatalities are now occurring at a rate of 55,000 per year, with nonhighway accidents adding another 63,000 deaths per year. The need for immediate passage of H.R. 10956 becomes disturbingly clear when you consider that proper emergency care could save approximately 60,000 lives annually in our country.

H.R. 10956 attempts to meet this crisis in health care by authorizing $185 million over a period of 3 years to encourage local units of government to establish effective emergency medical systems which could spell the difference in life and death for accident victims. Five new programs are created to provide Federal assistance for feasibility studies and planning, establishment and initial operation, and expansion and improvement of emergency medical services systems; for research in emergency medical techniques; and for training programs.

I am particularly pleased to note that the committee has seen fit to strengthen language in the report on this bill concerning the special problems of rural communities. It seems all too apparent to me that rural areas, suffering a much higher ratio of deaths and disabilities in proportion to the number of emergency incidents, must be afforded special protection in any legislation dealing with development of emergency medical systems. H.R. 10956, as reported, specifies that 15 percent of the authorized funds shall be available only for grants and contracts in rural areas and the report emphasizes that this 15 percent is only a minimum. I think it is imperative that the Congress make every effort to assure adequate support for rural emergency care and, in fact, I would like to see even stronger provisions protecting rural areas.

Mr. Chairman, I would hope that we will not have any difficulty in getting this legislation approved by Congress and signed by the President in an expeditious manner. We know there is a crying need for the development of communitywide emergency medical services systems. H.R. 10956 is vital to the health of the entire Nation and I believe the safeguards written into the bill for rural areas will mean much to the people of my district. Again, I urge support for this much needed legislation.

Mr. NELSEN. Mr. Chairman, I yield such time as he may consume to the gentleman from Illinois, (Mr. MICHEL).

Mr. MICHEL. Mr. Chairman, early last month I voted to sustain the President's veto of this bill, which at that time contained the provision relating to the Public Health Service hospitals.

I still have reservations about this legislation, even though I believe its objectives are laudatory. I would hate to see this turn into just another equipment program of the kind we have seen so often on the Labor-HEW appropriations subcommittee.

How many times have we brought something out to the floor with flags waving, the band playing and its proponents telling us what a significant new step it is in helping the poor, curing the sick, aiding the disadvantaged, and so on, only to have it turn into a grant or equipment boondoggle that really helps no one but the guy who cashes the Federal check?

If we are going to approve this program, I would hope we would not just forget about it, as we do so many, and not follow through with proper oversight and review by the authorizing committee to make sure it does what it is designed to do.

There is perhaps a chance that the President will sign this version if he is convinced that it adequately provides for the special problems of the rural communities, so if we are going to send it back to him again, I would urge that we make sure the bill is not deficient in this respect.

Mr. STAGGERS. Mr. Chairman, I yield 5 minutes to the gentleman from Florida, the chairman of the subcommittee (Mr. ROGERS).

Mr. ROGERS. Mr. Chairman, once again the House is being called upon to provide desperately needed emergency medical services to our people. The subcommittee on Public Health and Environment has reported this bill on three occasions, and this is the fifth time the House has considered whether our communities need and deserve comprehensive emergency medical services.

On the four previous occasions, the House has answered "yes" by overwhelming votes, although we were unable—by a mere four votes—to override the unfortunate veto of the conference report.

Mr. Chairman, this bill is identical to the conference report presented to the President last July, except that it does not contain the provisions relating to the continued operation of the Public Health Service hospitals. This bill will give a start to local EMS programs, which must be community based and community funded after the initial Federal startup support. It calls for the step-by-step development, in our urban areas and in our rural areas, of sophisticated emergency medical services systems with proper transportation, communications, training of personnel, and facilities to assure access to medical services in emergeny situations; $185 million is authorized for 3 years.

Mr. Chairman, we know what can be done with EMS. This bill will pay for itself in monetary savings, but its value cannot be measured in terms of reduction of death and suffering.

Mr. Chairman, my colleagues on the subcommittee, Mr. ROY and Mr. CARTER will offer amendments to strengthen provisions in the bill pertaining to assistance to rural areas. I am in full support of these bipartisan amendments authored by the two distinguished physician members of the subcommittee. It is my understanding from talking to the distinguished minority leader, Mr. FORD, that he supports these amendments and that their adoption would have no effect on his position in support of this bill.

I urge my colleagues to again overwhelmingly approve the Emergency Medical Services Act of 1973—as they have done four times in recent months—so that the President and the American people know that Congress is insistent on bringing critically needed emergency medical services to our communities.

Mr. NELSEN. Mr. Chairman, I have no further requests for time.

Mr. STAGGERS. Mr. Chairman, I yield 2 minutes to the gentleman from Kansas (Mr. ROY).

Mr. ROY. Mr. Chairman, I will not prolong this time in discussion. I would like to say that Dr. Mary Tierney, a volunteer in my office, worked for 6 months on this legislation very closely with the staff of the committee. I think we are all indebted to her for the contribution she made.

I congratulate the gentleman from Florida (Mr. ROGERS), my chairman, and the others on the subcommittee for working so diligently. I urge that the bill be passed.

Mr. NELSEN. Mr. Chairman, will the gentleman yield?

Mr. ROY. I yield to the gentleman from Minnesota.

Mr. NELSEN. The gentleman from Kentucky (Mr. CARTER) wishes to extend his remarks following those of the gentleman from Kansas, if the gentleman will agree.

Mr. ROY. I agree.

Mr. CARTER. Mr. Chairman, today we are considering the Emergency Medical Services Systems Act of 1973.

Section 1201 consists of definitions.

Section 1202 consists of: First, grants for studying the feasibility of establishing—through expansion or improvement of existing services or otherwise—and operating an emergency medical services system; and second, planning the establishment and operation of such a system.

Section 1203 includes grants and contracts for establishment and initial operation of emergency medical services systems.

These grants and contracts are to be given to States, a unit of general local government, a public entity administering a compact or other regional arrangement or consortium, or any other public entity and any nonprofit private entity.

Section 1204 provides for the expansion and improvement of emergency medical services systems, including the acquisition of equipment and facilities and the modernization of facilities.

Section 1205 provides that the Secretary may make grants to public or private nonprofit entities, and enter into contracts with private entities and individuals, for the support of research in emergency medical techniques, methods, devices, and delivery.

Section 1206 includes the entities to which grants and contracts can be made, and the method in which they are to be made.

Section 1207 authorizes, for the purpose of making payments pursuant to grants and contracts under sections 1202, 1203, and 1204, the appropriation of $30,000,000 for the fiscal year ending June 30, 1974; $60,000,000 for the fiscal year ending June 30, 1975; and $70,000,000 for the year ending June 30, 1976.

Of the sums appropriated for any fiscal year, not less than 15 percent shall be made available for grants and contracts under this title for such fiscal year for emergency medical services systems which serve rural areas.

Of sums appropriated, 15 percent is made available for grants and contracts under section 1202 which relates to feasibility studies and planning;

Sixty percent for grants and contracts related to establishment and initial operation for such fiscal year;

And 25 percent of such sums shall be made available only for grants and contracts under section 1204—this relates to expansion and improvement of existing medical facilities.

After June 30, 1976, 75 percent of such sums shall be made available only for grants and contracts under section 1203—this is for establishment and initial operation.

And 25 percent shall be made available for grants and contracts under section 1204—this relates to expansion and improvement of existing facilities.

The program shall be administered by the Secretary through an identifiable administrative unit within the Department of Health, Education, and Welfare.

An interagency committee on emergency medical services will be established. The Secretary of Health, Education and Welfare or his designee shall serve as chairman of the committee; the membership shall include representation from the Departments of Transportation, Justice, Defense, the Veterans' Administration, the National Science Foundation, the Federal Communications Commission, and the National Academy of Sciences, and such other Federal agencies as the Secretary determines; and five individuals from the general public appointed by the President from individuals who by virtue of their training or experience are particularly qualified to particpate in the performance of the committee's function.

Section 1210 requires the Secretary to prepare and submit an annual report to the Congress on the implementation of this legislation.

On page 24 of this bill, section 776 provides for training in emergency medical services.

The Secretary may make grants to enter into contracts with schools of medicine, dentistry, osteopathy, and nursing, and training centers for allied health professions to assist in meeting the cost of training programs in the techniques and methods of providing emergency medical services, including the skills required in connection with the provision of ambulance services.

For the purpose of making payments pursuant to grants and contracts under this section, there are authorized to be appropriated $10,000,000 for the fiscal year ending June 30, 1974.

An adequate number of necessary ground, air, and water vehicles and other transportation facilities to meet the individual characteristics of the system's service area will be provided.

Central communications systems will be established so that requests for emergency health care services will be handled by a communications facility. Adjacent areas will be joined in networks so that assistance can be given from one area to another; and that in case of disaster, such services can be combined to care for those who are affected.

The best facilities we have for diagnosis, treatment rehabilitation and transportation are none too good.

From 350,000 to 400,000 people die each year of heart attacks. It has been estimated by health authorities that 60,000 of these might well be saved with better trained ambulance attendants and medical personnel.

Some 54,000 people are killed each year on our highways. Thousands more are permanently injured due to faulty handling by untrained personnel; thousands more could well be saved.

As many of you know, up until approximately 3 years ago, funeral homes throughout much of the United States, and particularly in my State, furnished ambulance services. But a regulation from DOT required any company offering ambulance service to have two trained attendants on duty at all times. Because of this implementation of the Federal regulation, almost every ambulance company or funeral home offering ambulance service in my area was forced out of business.

A small company simply cannot afford to keep six trained men on duty during a 24-hour period. The funeral homes and many of the ambulance companies went out of business, and as a result the burden fell on the counties, the small county hospitals throughout Kentucky and the United States.

This places an intolerable financial burden upon our counties and hospitals. It would range in cost from $70,000 in a small county to millions of dollars in a county like Jefferson County. The Federal Government here in Washington promulgated these regulations and placed this enormous financial burden upon our small counties and communities.

Therefore, I submit, Mr. Chairman, that it behooves us to help the small counties throughout the United States in training ambulance personnel, and with financial assistance in the purchase of equipment necessary for adequate and meaningful ambulance service.

Many times on our highways, among the 54,000 who are killed each year, a femoral, brachial or carotid artery may be severed. The attendance of a skilled technician might well prevent a fatal hemorrhage. This legislation provides for such trained attendants. Will you, Mr. Chairman, be the one to deny the unfortunate person who is hemorrhaging to death the skillful care and attention which is necessary to save his life?

Mr. Chairman, on our highways, of the 54,000 who are killed each year, many suffer serious spinal injuries with pressure upon the spinal cord. Without experienced care, loading and transportation, this would result in irreparable paralysis. Would you, Mr. Chairman, vote to deny that person with a spinal injury the right to have a skilled attendant to see that he is not paralyzed as a result of unskilled handling?

The cost of this bill is $185,000,000, a little more than we pay each year for our deployment of troops in Italy, a little less than we pay for our military installa-

tions in Great Britain. It would result in the savings of at least 60,000 people a year from fatal heart attacks, 30-odd-thousand people from crippling injuries.

Mr. Chairman, this bill is supported by almost every medical organization in the United States, the American Heart Association, the American Cancer Society, the American Hospital Association, the Association of Mayors and of County Officials.

The sum of money which we authorize today will cost approximately as much as a destroyer. We need to make our country stronger from within and a better place in which to live.

FACT SHEET

1. Accidents are leading cause of death among persons from 1–37 years old.
2. Accidents are fourth leading cause of death of all ages.
3. Montana—47.9/100,000 motor vehicle deaths. New Jersey—18.3/100,000 motor vehicle deaths.
4. An accident in a rural area is 4 times as likely to cause death than a similar accident in a urban area.
5. In 1972: 17,600 motor vehicle deaths in urban areas; 37,100 motor vehicle deaths in rural areas.

Mr. STAGGERS. Mr. Chairman, I yield such time as he may consume to the gentleman from Texas (Mr. DE LA GARZA).

Mr. DE LA GARZA. Mr. Chairman, I strongly support this legislation—H.R. 10956—which is the revised version of the vetoed Emergency Medical Services System Act—which should provide some assistance to the ever mounting medical needs of my area and which should ease, in many respects, the tremendous financial burdens under which many of my area's hospitals are staggering.

Accidents are killing more persons in the productive age group and are the fourth most common cause of death. Heart attacks are striking down people in the prime of life. Poisonings and drug overdose require immediate medical attention. Unnecessary loss of life and disability resulting from sudden death and sudden illnesses are mounting.

This type legislation which would increase the planning and coordination of emergency medical services by local communities, States, and the Federal Government; which would provide expanded resources for the establishment, initial operation, expansion, and improvement of emergency medical service system; which would provide expanded research training, coordination, and rationalization of the presently fragmented and duplicative Federal programs for emergency medical services is something desperately needed.

Our hospitals are being burdened with a load they cannot afford to carry either in terms of personnel or in terms of mounting costs and resulting inabilities of some people to pay—with the result that they become charity patients—and the local areas have neither the financial resources or capabilities to pick up the total of the expenses accruing to the hospital system.

This is wide-ranging legislation. Our Nation possesses the expertise and the ability to provide efficient, effective, and acceptable emergency medical services to all our citizens.

The committee has done an excellent job in working up this legislation, for which I commend them, and it is my hope that something can be done as a result of it to fill the needs existing nationally—and certainly in the area I am privileged to represent.

The House is proposing three ways to fund the implementation of emergency medical services: First, by planning and feasibility grants and contracts; second, by establishment and initial operation grants; and third, by expansion and improvement grants.

With everybody working together and this legislation being affirmatively considered, we are taking a long step down the road toward helping communities develop comprehensive and improved emergency medical service—thereby fulfilling their requirement to the areas they serve.

I cannot urge too strongly my colleagues to vote affirmatively on this tremendously important piece of legislation.

Mr. STAGGERS. Mr. Chairman, I yield 2 minutes to the gentleman from Missouri (Mr. SYMINGTON), a member of the committee.

Mr. SYMINGTON. Mr. Chairman, I just want to express my gratitude to the Republican members of the committee and the minority leader, Mr. GERALD R. FORD, for joining with us in what I believe is a bill that will mean a great deal to this country and for which the country will be grateful.

I want to thank the gentleman from Florida (Mr. ROGERS), the chairman of the subcommittee, and all the hard-working staff members who worked so diligently on the bill.

I commend it to the House with my wholehearted support.

Mr. BUCHANAN. Mr. Chairman, I would like to join today with many of my distinguished colleagues in support of H.R. 10956, the Emergency Medical Services Systems Act of 1973.

This measure, which I am proud to cosponsor, offers an excellent solution to a most pressing problem in our Nation today. Nearly 120,000 Americans die annually as a result of traffic and other accidents and an additional 275,000 from heart attacks. Of these deaths, an estimated 40,000 lives could be saved each year if proper emergency care were available at the scene, en route to hospitals, and in emergency rooms.

We are all aware that health care costs have soared in recent years. This legislation would provide grants for planning, development and initial operation, expansion and improvement of emergency medical service systems and related training research programs. This bill would help already overburdened local health care organizations initiate vitally needed emergency health care.

Perhaps one of the best features of this bill is that it supports the initial impetus toward an effective emergency medical services system while still enabling the State and local governments to develop from the federally financed nucleus a program of their own designed locally to meet local needs.

The Birmingham area is a prime example of an area that would benefit greatly from this program. In 1972 a $300,000 Federal grant was made to the University of Alabama in Birmingham for a pilot program to coordinate efforts to the cities of Birmingham, Homewood, Mountain Brook, Hoover, and Vestavia Hills to handle medical emergencies, including major disasters. At the time the grant was made, each of these cities had a partially functional emergency medical system. This legislation, coupled with the earlier grant and the efforts being made by the area governments will enable the entire Birmingham area to continue development of an effective, fast acting, emergency medical services system. The benefits accruing to the Birmingham area as a result of this program are only but an example of the assistance this program could provide nationally if this legislation is passed.

Mr. Chairman, I wholeheartedly support this program which I believe will provide a valuable contribution to the well-being of hundreds of thousands of our citizens each year.

Mr. ABDNOR. Mr. Chairman, I rise in support of the bill here being considered to increase the amount of funds to be allocated to rural areas. I can best contribute to this discussion by pointing out the medical situation in my State of South Dakota.

Many lives are lost annually in South Dakota because of delays en route to the hospital, in reaching the patient, inadequate care at the scene, and inadequate training in use of equipment both en route and at the emergency room. In addition, no adequate communication system, transportation network, or trained emergency medical personnel exists to save those many lives which are lost due to accidents or sudden severe illness. This cost in lives is high with 70 percent of motor vehicle deaths alone occurring in rural areas with less than 2,500 population.

The problem in my State is not necessarily the same as in the large metropolitan and urban areas of the United States. South Dakota's basic problem is that of a small rural population with large geographic distribution. The principal industry of South Dakota is farming which is notorious as a high accident risk occupation. In addition large numbers of sportsmen and tourists bring added burdens to the emergency medical system year-round but particularly in the summer months to the Black Hills region where more than 2 million visitors alone visit Mount Rushmore in just 3 months.

No total comprehensive emergency medical system exists, and there is an obvious and implied need coming from our shortage of doctors and sparsely located hospitals.

The highway system in South Dakota, serving the local population, as well as a considerable number of tourists, has recorded 123,804 traffic accidents resulting in 2,520 deaths over the 10-year period 1962 through 1971. We lack an adequate transportation system to get the patients to where they can even receive the most common of first aid care.

There are six Indian reservations in my district and jurisdictional responsibilities preclude assistance from State governments. I need not say here how

badly we need better health care delivery systems for the Indians. The important point is that this EMS bill will be the only comprehensive approach for the Indians to utilize to meet their needs for emergency attention and access to the hospitals.

Rural America is experiencing the outmigration of her medical personnel. It is a well known fact that the medically trained leave rural areas before the general population begins to leave. We are very thankful and honored by the doctors who have remained, but we badly need the assistance of this bill to enable the development of a means whereby the outlying patient can be delivered to where the doctors are and facilities exist to accommodate his health needs.

I applaud the committee's intent to assure a minimum funding share for rural areas, but 15 percent is not enough, and somewhat doubt if 50 percent would be enough. We cannot ignore the medical needs of the rural areas for it can be shown that people move away into the cities not only for job opportunities, but in order to be close to facilities and personnel where their life-support needs are available if needed.

Mr. CONTE. Mr. Chairman, $851 million over a 3-year period of time is a tremendously modest proposal when compared to the life and death situations which confront thousands of Americans each year. A recent report by the National Academy of Sciences bears out the sad fact that our emergency medical services are, quote:

> One of the weakest links in the delivery of health care in the Nation.

There are no coherent systems for the provision of emergency medical services in the country today. The worth of what services we have varies tremendously from town to town. The results of such a situation are obvious—while the death rates continue to rise, our ability to deal with the problem declines.

It is conservatively estimated that 175,000 people die needlessly each year. Highway deaths alone constitute 56,000 of these victims, and we can save possibly as many as 11,000 of those roadway fatalities each year with the passage of this measure.

Aside from accidental deaths, the aged of this country find little solace in having to rely on present systems. In fact, they find the situation to represent a deadly threat to their lives which they must face on a day-to-day basis. It is a bad joke for them to be told that nearly half of the country's available ambulances are provided by funeral homes. They do not see the humor in the fact that, should they suffer some sort of seizure and live just beyond the jurisdictional line of a local emergency service, they may not be eligible for care because a law or policy would prevent an ambulance from crossing that boundary.

The statistics are astounding—nearly 400,000 victims of heart attacks die before they can get to either a doctor or a hospital. This bill could signal the updating and expansion of mobile emergency coronary units to take care of a good portion of these people. This bill could provide funding for the further research and training we so desparately need to improve our techniques for providing emergency medical care. This bill could, at last, provide us with fleets of totally equipped, first-rate ambulances, which could speed the injured and sick to fully equipped and staffed hospital emergncy rooms. Sixty thousand lives could be saved enroute from pick-up site to hospital.

We need this program. There is too much good in it to deny it to the American people.

All of us here in this Chamber, I am certain, have received countless pieces of mail; many calls, in support of this measure. Labor, veterans, civic groups, the public at large desire it and need it. The President, himself, has listed emergency medical services as an administration priority.

Let us get on with it. Let us enable our communities to include up-to-date emergency service in their health systems. They need our help. State and local governments are already strapped; what programs they have cannot survive without our help.

Let us get on with it.

Mr. DERWINSKI. Mr. Chairman, as a cosponsor of H.R. 10956, the emergency medical services bill, I am pleased that Congress is cooperating with the President in bringing this measure to the floor. This is a program I have strongly supported and I hope that we can complete the legislative process before Congress adjourns this fall.

The purpose of this bill is to give each Member of Congress an opportunity to vote, up or down on the EMS program without having to vote on the nongermane PHS hospital issue at the same time. Support for this approach has been indicated by the administration as well as a willingness to cooperate with Congress in producing an EMS program.

Emergency medical services can spell the difference between life and death. This bill would assist in developing better EMS delivery throughout the Nation.

The State of Illinois is a leader in emergency medical services and needs, as do the other States, the benefits which could be derived from this bill to further develop our fine emergency medical services system. I strongly urge your support of this bill which would establish an effective nationwide emergency medical services system.

Mr. PRICE of Illinois. Mr. Chairman, I rise in support of the Emergency Medical Services Systems Act of 1973. Emergency medical services are sorely needed to aid our Nation's already overburdened medical facilities. Improved emergency services could save 60,000 lives a year now lost to accidents and sudden illness. Accidents are the Nation's fourth most common cause of death yet our medical system can not cope with the problem. Proper emergency medical services will save lives.

This measure, insuring adequate emergency services to the American public, has already met a Presidential veto. The veto has already delayed the development of emergency care systems for several months. I feel such an important consideration should be beyond the scope of partisan politics. Let us no longer deny the public access to adequate emergency medical services.

The emergency medical service systems would provide community based emergency services through the Department of Health, Education, and Welfare. It would help communities develop comprehensive plans for medical services including ambulance services, emergency rooms and other facilities with properly trained personnel.

It is my hope that this measure be passed with wide bipartisan support. I urge my colleagues to vote for the passage of H.R. 10956.

Mr. KYROS. Mr. Chairman, I rise today in support of H.R. 10956, which would provide desperately needed improvements in the administration and delivery of our Nation's emergency medical services systems. I urge the Members of this body to act swiftly and decisively on this bill so that it can be enacted into law without further delay.

The need for this legislation, Mr. Chairman, is clear: It is reliably estimated that 60,000 lives are lost each year, because of the inadequacy of our Nation's emergency medical services. It is shocking that we have virtually the same emergency medical system that we had 50 years ago.

The current situation in my State of Maine, as in most States, is not very encouraging. Only 70 of our 2,500 licensed ambulance attendants meet the standards recommended by the Department of Health, Education, and Welfare. The others have advanced Red Cross training, but that is simply not enough to meet a wide range of emergency situations. Of even greater concern, is the fact that only 5 out of Maine's 63 hospitals have round-the-clock physician coverage. These are the sorts of situations which H.R. 10956 seeks to correct.

Mr. Chairman, it is estimated that 10 percent of Maine's 1,400 annual coronary fatalities and up to 20 percent of its 270 annual automobile deaths could be prevented. Passage of H.R. 10956 will be a giant step in that direction.

Mr. GILMAN. Mr. Chairman, I rise in support of H.R. 10956, the Emergency Medical Services Act now before us.

Federal assistance to communities in the area of emergency medical services is long overdue.

It is shocking to learn that accidents are the fourth major cause of death in our United States, frequently terminating lives at the height of productivity.

Yet, this statistic should not be shocking for we are all aware of the frequency with which this killer strikes—deaths on the highways, fires, drownings, poisonings and freak accidents—all part of the sad news on any given day.

We, in Congress, have a real opportunity to reduce this toll as we consider H.R. 10956. It is estimated that improved and adequate emergency care could save approximately 60,000 lives annually.

While we may be overly optimistic in hoping for vast reductions in accidental death tolls, we do have assurances that by passage of this legislation we will be saving lives and averting serious injuries. We must heed this call.

I know that many of you have shared my feelings of pride for those selfless, knowledgeable individuals, who volunteer to serve in ambulance corps, and the frustration we have felt when these very

same people approach us seeking State or Federal aid for purchasing equipment and for training programs.

We will all be proud, in light of their dedication and devotion to their fellow man, to report to them that the Federal Government has finally recognized their needs and taken the initiative to encourage their good work.

Accordingly Mr. Chairman, I urge my colleagues to support these worthy objectives by voting in favor of H.R. 10956, the Emergency Medical Services Act of 1973.

Mr. RANDALL. Mr. Chairman, I enthusiastically support the Emergency Medical Services Act. Such a statement in this instance happens to be one that can be backed up with a measure of proof because on September 12, when the House sustained the veto on H.R. 6458 or S. 504, I voted to override the veto.

The President said he had two basic objections to S. 504 or H.R. 6458. First, that $185 million was too much to spend, even though it is a fact that only 10 percent of our Nation's hospitals are adequately equipped to handle medical emergencies. Then he objected to the eight Public Health Service hospitals, as to this objection the President should have known there is even a need for additional hospitals.

The new legislation, H.R. 10956, was introduced on October 19. It is similar to S. 504, the vetoed bill, with two exceptions. First, the provision relating to the eight Public Health Service hospitals has been deleted, and, second, in this new bill there is a new or special recognition given to the rural areas.

Mr. Chairman, I was pleased to note that in the bill as it came to the floor today, there was included a provision of not less than 15 percent of the sums appropriated be available for grants and contracts in the rural areas.

It was even more pleasing to note that by a floor amendment which was passed under a voice vote this 15 percent was increased to 20 percent. Moreover, the bill requires the Secretary of Health, Education, and Welfare to provide assistance needed by any communities in the rural areas to apply and qualify for the awards.

Mr. Chairman, the report accompanying this bill indicates the cost of this legislation, will, during its lifetime be about $185 million.

It has long been my belief we should not express the expense to save human lives in terms of cost in dollars but as one of the best investments this country can make. I do not have the figures at my fingertips but in the debate that took place at the time of the veto if we add all annual highway fatalities to all nonhighway deaths and when it is further considered that all these lives could be saved by prompt emergency medical service, then the expenditure for saving an individual life added up to approximately $1,000 per person.

Surely, we have not reached a point in this country that we can afford not to make an investment of such a small amount to try to save the lives of our citizens.

Mr. ROBISON of New York. Mr. Chairman, I rise to support passage of the Emergency Medical Services Act of 1973, a measure of such compelling purpose and scope that it has survived every possible obstacle before coming to us today. This time I am confident we shall see a large vote of approval, and I must admit to some personal satisfaction over that possibility, after riding the crests and ebbs of this bill for so long. I have been an ardent backer of the Emergency Medical Services Act from the beginning, when my colleague from West Virginia (Mr. MOLLOHAN) and I introduced the initial namesake of this proposal; and I have shared with other supporters of the bill the considerable frustration of watching a very necessary initiative become enmeshed in unrelated questions.

Twice before, this bill has come before us in substantially the same form as we now have it, and each time it was successfully approved, because a large majority of my colleagues were convinced by the facts in support of this proposal. What has been documented in the succession of committee reports which have come to us is that tens of thousands of lives will be saved, if the provisons of this legislation are carried out.

It is equally true that the Federal Government has a necessary role in assisting the development of emergency medical services throughout the country. The Federal Government is uniquely disposed to coordinate research and technological development which seeks improved means to treat patients at the site of accident or other medical trauma. The Federal Government is singly capable of evaluating and disseminating the results of innovations in emergency health care which are developed in various parts of the country. And, perhaps more importantly, the Federal Government must be concerned that whenever a citizen leaves his home and travels to another part of the country, that individual has some assurance of capable and timely medical treatment, wherever emergency strikes.

Contrary to the statements of a few of my colleagues, this legislation does not initiate a new Federal responsibility. It is not a new program, as some have maintained. Rather, the Emergency Medical Services Act pulls together the more than 25 Federal programs which now function in various agencies and offices of the executive branch, and the proposal, thereby, forms a consistent national policy governing Federal support and monitoring of emergency medical services.

The Federal Government has long recognized the need for coordination and research assistance—even direct funding assistance for the purchase of equipment—however, the Federal effort thus far has been characterized by many independent, unrelated efforts spread throughout a number of executive agencies. What coordination there is results primarily from the informal contacts which various administrators have developed in the course of their work. Until Congress began to consider this legislation, there had been no serious questioning of the need for a coordinating procedure which would lend both uniformity of purpose and consistent policy guidelines to the dozens of programs already in existence.

We have, for instance, one Federal agency—the National Highway Traffic Safety Administration—attempting to implement Federal guidelines concerning ambulance attendant training and ambulance equipment, while other Federal agencies, such as the Social Security Administration and the Veterans' Administration, are paying for ambulance services without questioning the standards of performance of those providing the service.

Through the Emergency Medical Services Act of 1973, the Federal Government will gain an "identifiable" administrative unit, within the Department of Health, Education, and Welfare, which shall administer all grants and contracts provided by the legislation and shall also be the responsible collecting point and the point of dissemination for all information and study results which might contribute to the improvement of emergency medical transportation and care.

In addition to the creation of an identifiable "lead agency," the measure before us establishes an Interagency Committee on Emergency Medical Services for the sole purpose of coordinating the presently disparate programs in emergency medical services, and for evaluating the adequacy and technical soundness of those programs.

To my mind, this is what the Emergency Medical Services Act is all about. It is preeminently a reorganization bill, which would bring together scattered Federal activities into a uniform and coordinated Federal assistance effort for emergency medical services. Should my colleagues have any doubt of the considerable need for an effectively functioning Federal effort, they need only look at the printed hearings which accompany this bill. Several of the salient points of those hearings have been reiterated today, and it is because of the commitment and dedication of the distinguished chairman of the Interstate and Foreign Commerce Committee, and the continuing concern of our colleague from Florida (Mr. ROGERS), that these facts have become part of the record of this Congress.

The facts and figures I refer to are a frightening litany of unnecessary death and disability which might be prevented if local communities and State governments have the purposeful leadership of those Federal agencies which are charged with providing assistance and guidance to local and regional ambulance systems.

Today, we must answer the need which should be obvious to every one of my colleagues, by completing final and overwhelming House passage of the Emergency Medical Services Act of 1973. I urge my colleagues to vote favorably on this legislation.

Mrs. HOLT. Mr. Speaker, I rise today to speak in support of the Emergency Medical Services Act of 1973. There is no excuse, in the light of modern medical knowledge, why we need lose thousands of Americans annually. It has been stated that 60,000 heart attack victims would be saved by competent, swift, well-trained emergency medical personnel; 16,000 children would live each year, whom we would otherwise lose from fatal accidents, and 20 percent of all

automobile fatalities could be averted by the utilization of modern equipment and skillful ambulance attendants.

We could spare needless anguish, disfigurement, and death by our vote today. We could relieve the burden of the isolated, rural community struggling to maintain adequate emergency room care in county hospitals. We could utilize the talents of veteran corpsmen, already trained in emergency and trauma work. We could save 30,000 Americans from crippling injuries, by insuring that they would receive immediate and careful handling. We could use our increased medical knowledge to bring benefits to communities across the Nation where hundreds die each year, not because medical knowledge was unavailable, but because that knowledge was not used.

We could stimulate planning, research, and action for regional emergency medical services. We could relieve human suffering at its most immediate level. And we could do all this at a cost which will surely be offset by the staggering expenses involved in long term care, rehabilitation and even death. It is a very small investment for such great dividends.

I urge my colleagues to join with me in supporting this vital and overdue legislation.

Mr. WIGGINS. Mr. Chairman, it is evident to all of us that there is nearly unanimous agreement as to this bill. However, I do wish to indicate my opposition to it and to state very briefly why I oppose the bill.

I have never felt that the subject of providing emergency medical services is a subject in which the Federal Government necessarily should involve itself. It seems to me that this is in essence a local responsibility, and in many places around this country, local areas and communities have responded to and met that responsibility. They certainly have in my area of southern California. I cannot believe that other areas of this country could not, if challenged to do so, meet their own responsibilities of providing emergency medical services for their own citizens.

Accordingly, Mr. Chairman, I am going to vote no on this bill, and I regret very much that we are moving down a path which is going to involve the Federal Government once again in what is essentially a local matter.

Mr. STAGGERS. Mr. Chairman, will the gentleman yield?

Mr. WIGGINS. Of course, I will yield to the gentleman from West Virginia.

Mr. STAGGERS. Mr. Chairman, I would just like to remind the gentleman that the money goes to the communities, and the communities can spend the money in any fashion they see fit. There are communities in this country such as that served by the gentleman from California which do not need these funds, but they are very few in America. We have many communities that need the help which we are going to give them and the cooperation which we will extend, and they cannot do the job alone. I do not think that we should legislate only for our own constituents, but that we should legislate for America.

Mr. WIGGINS. Mr. Chairman, I assure the gentleman that my community does need money. The difference is that my community has taxed itself historically to provide the service it now provides its citizens. What the gentleman is asking, I am afraid, by his legislation is that my people should also pay for services for other areas in addition to their own, and I object to this.

Mr. STAGGERS. Mr. Chairman, I believe the gentleman is wrong, because in the small counties in my State, we have several of these areas that simply need some help and some expertise and some trained personnel, and I am sure the gentleman's constituents could use that help.

Mr. STAGGERS. Mr. Chairman, I have no further requests for time on this side.

Mr. NELSEN. Mr. Chairman, I have no further requests for time, but I believe the gentleman from Kentucky (Mr. CARTER) has an amendment he wishes to offer.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

H.R. 10956

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

SHORT TITLE

SECTION 1. This Act may be cited as the "Emergency Medical Services System Act of 1973".

EMERGENCY MEDICAL SERVICES SYSTEM

SEC. 2. (a) The Public Health Service Act is amended by adding at the end thereof the following new title:

"TITLE XII—EMERGENCY MEDICAL SERVICES SYSTEMS

"DEFINITIONS

"SEC. 1201. For purposes of this title:

"(1) The term 'emergency medical services system' means a system which provides for the arrangement of personnel, facilities, and equipment for the effective and coordinated delivery in an appropriate geographical area of health care services under emergency conditions (occurring either as a result of the patient's condition or of natural disasters or similar situations) and which is administered by a public or nonprofit private entity which has the authority and the resources to provide effective administration of the system.

"(2) The term 'State' includes the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Trust Territory of the Pacific Islands.

"(3) The term 'modernization' means the alteration, major repair (to the extent permitted by regulations), remodeling, and renovation of existing buildings (including initial equipment thereof), and replacement of obsolete, built-in (as determined in accordance with regulations) equipment of existing buildings.

"(4) The term 'section 314(a) State health planning agency' means the agency of a State which administers or supervises the administration of a State's health planning functions under a State plan approved under section 314(a).

"(5) The term 'section 314(b) areawide health planning agency' means a public or nonprofit private agency or organization which has developed a comprehensive regional, metropolitan, or other local area plan or plans referred to in section 314(b), and the term 'section 314(b) plan' means a comprehensive regional, metropolitan, or other local area plan or plans referred to in section 314(b).

"GRANTS AND CONTRACTS FOR FEASIBILITY STUDIES AND PLANNING

"SEC. 1202. (a) The Secretary may make grants to and enter into contracts with eligible entities (as defined in section 1206(a)) for projects which include both (1) studying the feasibility of establishing (through expansion or improvement of existing services or otherwise) and operating an emergency medical services system, and (2) planning the establishment and operation of such a system.

"(b) If the Secretary makes a grant or enters into a contract under this section for a study and planning project respecting an emergency medical services system for a particular geographical area, the Secretary may not make any other grant or enter into any other contract under this section for such project, and he may not make a grant or enter into a contract under this section for any other study and planning project respecting an emergency medical services system for the same area or for an area which includes (in whole or substantial part) such area.

"(c) Reports of the results of any study and planning project assisted under this section shall be submitted to the Secretary and the Interagency Committee on Emergency Medical Services at such intervals as the Secretary may prescribe, and a final report of such results shall be submitted to the Secretary and such Committee not later than one year from the date the grant was made or the contract entered into, as the case may be.

"(d) An application for a grant or contract under this section shall—

"(1) demonstrate to the satisfaction of the Secretary and the need of the area for which the study and planning will be done for an emergency medical services system;

"(2) contain assurances satisfactory to the Secretary that the applicant is qualified to plan an emergency medical services system for such area; and

"(3) contain assurances satisfactory to the Secretary that the planning will be conducted in cooperation (A) with each section 314(b) areawide health planning agency whose section 314(b) plan covers (in whole or in part) such area, and (B) with any emergency medical services council or other entity responsible for review and evaluation of the provision of emergency medical services in such area.

"(e) The amount of any grant under this section shall be determined by the Secretary.

"GRANTS AND CONTRACTS FOR ESTABLISHING AND INITIAL OPERATION

"SEC. 1203. (a) The Secretary may make grants to and enter into contracts with eligible entities (as defined in section 1206(a)) for the establishment and initial operation of emergency medical services systems.

"(b) Special consideration shall be given to applications for grants and contracts for systems which will coordinate with statewide emergency medical services system.

"(c) (1) Grants and contracts under this section may be used for the modernization of facilities for emergency medical services systems and other costs of establishment and initial operation.

"(2) Each grant or contract under this section shall be made for costs of establishment and operation in the year for which the grant or contract is made. If a grant or contract is made under this section for a system, the Secretary may make one additional grant or contract for that system if he determines, after a review of the first nine months' activities of the applicant carried out under the first grant or contract, that the applicant is satisfactorily progressing in the establishment and operation of the system in accordance with the plan contained in his application (pursuant to section 1206 (b) (4)) for the first grant or contract.

"(3) No grant or contract may be made under this section for the fiscal year ending June 30, 1976, to an entity which did not receive a grant or contract under this section for the preceding fiscal year.

"(4) Subject to section 1206(f)—

"(A) the amount of the first grant or contract under this section for an emergency medical services system may not exceed (i) 50 per centum of the establishment and operation costs (as determined pursuant to regulations of the Secretary) of the system for the year for which the grant or contract is made, or (ii) in the case of applications which demonstrate an exceptional need for financial assistance, 75 per centum of such costs for such year; and

"(B) the amount of the second grant or contract under this section for a system may not exceed (i) 25 per centum of the establishment and operation costs (as determined pursuant to regulations of the Secretary) of the system for the year for which the grant or contract is made, or (ii) in the case of applications which demonstrate an exceptional need for financial assistance, 50 per centum of such costs for such year.

"(5) In considering applications which demonstrate exceptional need for financial assistance, the Secretary shall give special consideration to applications submitted for emergency medical services systems for rural areas (as defined in regulations of the Secretary).

"GRANTS AND CONTRACTS FOR EXPANSION AND IMPROVEMENT

"SEC. 1204. (a) The Secretary may make grants to and enter into contracts with eligible entities (as defined in section 1206(a)) for projects for the expansion and improvement of emergency medical services systems, including the acquisition of equipment and facilities, the modernization of facilities, and other projects to expand and improve such systems.

"(b) Subject to section 1206(f), the amount of any grant or contract under this section for a project shall not exceed 50 per centum of the cost of that project (as determined pursuant to regulations of the Secretary).

"GRANTS AND CONTRACTS FOR RESEARCH

"SEC. 1205. (a) The Secretary may make grants to public or private nonprofit entities, and enter into contracts with private entities and individuals, for the support of research in emergency medical techniques, methods, devices, and delivery.

"(b) No grant may be made or contract entered into under this section for amounts in excess of $35,000 unless the application therefor has been recommended for approval by an appropriate peer review panel designated or established by the Secretary. Any application for a grant or contract under this section shall be submitted in such form and manner, and contain such information, as the Secretary shall prescribe in regulations.

"(c) The recipient of a grant or contract under this section shall make such reports to the Secretary as the Secretary may require.

"GENERAL PROVISIONS RESPECTING GRANTS AND CONTRACTS

"SEC. 1206. (a) For purposes of sections 1202, 1203, and 1204, the term 'eligible entity' means—

"(1) a State,

"(2) a unit of general local government,

"(3) a public entity administering a compact or other regional arrangement or consortium, or

"(4) any other public entity and any nonprofit private entity.

"(b)(1) No grant or contract may be made under this title unless an application therefor has been submitted to, and approved by, the Secretary.

"(2) In considering applications submitted under this title, the Secretary shall give priority to applications submitted by the entities described in clauses (1), (2), and (3) of subsection (a).

"(3) No application for a grant or contract under section 1202 may be approved unless—

"(A) the application meets the application requirements of such section;

"(B) in the case of an application submitted by a public entity administering a compact or other regional arrangement or consortium, the compact or other regional arrangement or consortium includes each unit of general local government of each standard metropolitan statistical area (as determined by the Office of Management and Budget) located (in whole or in part) in the service area of the emergency medical services system for which the application is submitted;

"(C) in the case of an application submitted by an entity described in clause (4) of subsection (a), such entity has provided a copy of its application to each entity described in clauses (1), (2), and (3) of such subsection which is located (in whole or in part) in the service area of the emergency medical services system for which the application is submitted and has provided each such entity a reasonable opportunity to submit to the Secretary comments on the application;

"(D) the—

"(i) section 314(a) State health planning agency of each State in which the service area of the emergency medical services system for which the application is submitted will be located, and

"(ii) section 314(b) areawide health planning agency (if any) whose section 314(b) plan covers (in whole or in part) the service area of such system,

have had not less than thirty days (measured from the date a copy of the application was submitted to the agency by the applicant) in which to comment on the application;

"(E) the applicant agrees to maintain such records and make such reports to the Secretary as the Secretary determines are necessary to carry out the provisions of this title; and

"(F) the application is submitted in such form and such manner and contains such information (including specification of applicable provisions of law or regulations which restricts the full utilization of the training and skills of health professions and allied and other health personnel in the provision of health care services in such a system) as the Secretary shall prescribe in regulations.

"(4)(A) An application for a grant or contract under section 1203 or 1204 may not be approved by the Secretary unless (i) the application meets the requirements of subparagraphs (B) through (F) of paragraph (3), and (ii) except as provided in subparagraph (B)(ii), the applicant (I) demonstrates to the satisfaction of the Secretary that the emergency medical services system for which the application is submitted will, within the period specified in subparagraph (B)(i), meet each of the emergency medical services system requirements specified in subparagraph (C), and (II) provides in the application a plan satisfactory to the Secretary for the system to meet each such requirement within such period.

"(B)(i) The period within which an emergency medical services system must meet each of the requirements specified in subparagraph (A) is the period of the grant or contract for which application is made; except that if the applicant demonstrates to the satisfaction of the Secretary the inability of the applicant's emergency medical services system to meet one or more of such requirements within such period, the period (or periods) within which the system must meet such requirement (or requirements) is such period (or periods) as the Secretary may require.

"(ii) If an applicant submits an application for a grant or contract under section 1203 or 1204 and demonstrates to the satisfaction of the Secretary the inability of the system for which the application is submitted to meet one or more of the requirements specified in subparagraph (C) within any specific period of time, the demonstration and plan prerequisites prescribed by clause (ii) of subparagraph (A) shall not apply with respect to such requirement (or requirements) and the applicant shall provide in his application a plan, satisfactory to the Secretary, for achieving appropriate alternatives to such requirement (or requirements).

"(C) An emergency medical services system shall—

"(i) include an adequate number of health professions, allied health professions, and other health personnel with appropriate training and experience;

"(ii) provide for its personnel appropriate training (including clinical training) and continuing education programs which (I) are coordinated with other programs in the system's service area which provide similar training and education, and (II) emphasize recruitment and necessary training of veterans of the Armed Forces with military training and experience in health care fields and of appropriate public safety personnel in such area;

"(iii) join the personnel, facilities, and equipment of the system by a central communications system so that requests for emergency health care services will be handled by a communications facility which (I) utilizes emergency medical telephone screening, (II) utilizes or, within such period as the Secretary prescribes will utilize the universal emergency telephone number 911, and (III) will have direct communication connections and interconnections with the personnel, facilities, and equipment of the system and with other appropriate emergency medical services systems;

"(iv) include an adequate number of necessary ground, air, and water vehicles and other transportation facilities to meet the individual characteristics of the system's service area—

"(I) which vehicles and facilities meet appropriate standards relating to location, design, performance, and equipment, and

"(II) the operators and other personnel for which vehicles and facilities meet appropriate training and experience requirements;

"(v) include an adequate number of easily accessible emergency medical services facilities which are collectively capable of providing services on a continuous basis, which have appropriate nonduplicative and categorized capabilities, which meet appropriate standards relating to capacity, location, personnel, and equipment, and which are coordinated with other health care facilities of the systems;

"(vi) provide access (including appropriate transportation) to specialized critical medical care units in the system's service area, or, if there are no such units or an inadequate number of them in such area, provide access to such units in neighboring areas if access to such units is feasible in terms of time and distance;

"(vii) provide for the effective utilization of the appropriate personnel, facilities, and equipment of each public safety agency providing emergency services in the system's service area;

"(viii) be organized in a manner that provides persons who reside in the system's service area and who have no professional training or financial interest in the provision of health care with an adequate opportunity to participate in the making of policy for the system;

"(ix) provide, without prior inquiry as to ability to pay, necessary emergency medical services to all patients requiring such services;

"(x) provide for transfer of patients to facilities and programs which offer such followup care and rehabilitation as is neces-

sary to effect the maximum recovery of the patient;

"(xi) provide for a standardized patient recordkeeping system meeting appropriate standards established by the Secretary, which records shall cover the treatment of the patient from initial entry into the system through his discharge from it, and shall be consistent with ensuing patient records used in followup care and rehabilitation of the patient;

"(xii) provide programs of public education and information in the system's service area (taking into account the needs of visitors to, as well as residents of, that area to know or be able to learn immediately the means of obtaining emergency medical services) which programs stress the general dissemination of information regarding appropriate methods of medical self-help and first-aid and regarding the availability of first-aid training programs in the area;

"(xiii) provide for (I) periodic, comprehensive, and independent review and evaluation of the extent and quality of the emergency health care services provided in the system's service area, and (II) submission to the Secretary of the reports of each such review and evaluation;

"(xiv) have a plan to assure that the system will be capable of providing emergency medical services in the system's service area during mass casualties, natural disasters, or national emergencies; and

"(xv) provide for the establishment of appropriate arrangements with emergency medical services systems or similar entities serving neighboring areas for the provision of emergency medical services on a reciprocal basis where access to such services would be more appropriate and effective in terms of the services available, time, and distance.

The Secretary shall by regulations prescribe standards and criteria for the requirements prescribed by this subparagraph. In prescribing such standards and criteria, the Secretary shall consider relevant standards and criteria prescribed by other public agencies and by private organizations.

"(c) Payments under grants and contracts under this title may be made in advance or by way of reimbursement and in such installments and on such conditions as the Secretary determines will most effectively carry out this title.

"(d) Contracts may be entered into under this title without regard to sections 3648 and 3709 of the Revised Statutes (31 U.S.C. 529; 41 U.S.C. 5).

"(e) No funds appropriated under any provision of this Act other than section 1207 or title VII may be used to make a new grant or contract in any fiscal year for a purpose for which a grant or contract is authorized by this title unless (1) all the funds authorized to be appropriated by section 1207 for such fiscal year have been appropriated and made available for obligation in such fiscal year, and (2) such new grant or contract is made in accordance with the requirements of this title that would be applicable to such grant or contract if it was made under this title. For purposes of this subsection, the term 'new grant or contract' means a grant or contract for a program or project for which an application was first submitted after the date of the enactment of the Act which makes the first appropriations under the authorizations contained in section 1207.

"(f)(1) In determining the amount of any grant or contract under section 1203 or 1204, the Secretary shall take into consideration the amount of funds available to the applicant from Federal grant or contract programs under laws other than this Act for any activity which the applicant proposes to undertake in connection with the establishment and operation or expansion and improvement of an emergency medical services system and for which the Secretary may authorize the use of funds under a grant or contract under sections 1203 and 1204.

"(2) The Secretary may not authorize the recipient of a grant or contract under section 1203 or 1204 to use funds under such grant or contract for any training program in connection with an emergency medical services system unless the applicant filed an application (as appropriate) under title VII or VIII for a grant or contract for such program and such application was not approved or was approved but for which no or inadequate funds were made available under such title.

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 1207. (a)(1) For the purpose of making payments pursuant to grants and contracts under sections 1202, 1203, and 1204, there are authorized to be appropriated $30,000,000 for the fiscal year ending June 30, 1974, and $60,000,000 for the fiscal year ending June 30, 1975; and for the purpose of making payments pursuant to grants and contracts under sections 1203 and 1204 for the fiscal year ending June 30, 1976, there are authorized to be appropriated $70,000,000.

"(2) Of the sums appropriated under paragraph (1) for any fiscal year not less than 15 per centum shall be made available for grants and contracts under this title for such fiscal year for emergency medical services systems which serve or will serve rural areas (as defined in regulations of the Secretary under section 1203(c)(5)).

"(3) Of the sums appropriated under paragraph (1) for the fiscal year ending June 30, 1974, or the succeeding fiscal year—

"(A) 15 per centum of such sums for each such fiscal year shall be made available only for grants and contracts under section 1202 (relating to feasibility studies and planning) for such fiscal year;

"(B) 60 per centum of such sums for each such fiscal year shall be made available only for grants and contracts under section 1203 (relating to establishment and initial operation) for such fiscal year; and

"(C) 25 per centum of such sums for each such fiscal year shall be made available only for grants and contracts under section 1204 (relating to expansion and improvement) for such fiscal year.

"(4) Of the sums appropriated under paragraph (1) for the fiscal year ending June 30, 1976—

"(A) 75 per centum of such sums shall be made available only for grants and contracts under section 1203 for such fiscal year, and

"(B) 25 per centum of such sums shall be made available only for grants and contracts under section 1204 for such fiscal year.

"(b) For the purpose of making payments pursuant to grants and contracts under section 1205 (relating to research), there are authorized to be appropriated $5,000,000 for the fiscal year ending June 30, 1974, and for each of the next two fiscal years.

"ADMINISTRATION

"SEC. 1208. The Secretary shall administer the program of grants and contracts authorized by this title through an identifiable administrative unit within the Department of Health, Education, and Welfare. Such unit shall also be responsible for collecting, analyzing, cataloging, and disseminating all data useful in the development and operation of emergency medical services systems, including data derived from reviews and evaluations of emergency medical services systems assisted under section 1203 or 1204.

"INTERAGENCY COMMITTEE ON EMERGENCY MEDICAL SERVICES

"SEC. 1209. (a) The Secretary shall establish an Interagency Committee on Emergency Medical Services. The Committee shall evaluate the adequacy and technical soundness of all Federal programs and activities which relate to emergency medical services and provide for the communication and exchange of information necessary to maintain the coordination and effectiveness of such programs and activities, and shall make recommendations to the Secretary respecting the administration of the program of grants and contracts under this title (including the making of regulations for such program).

"(b) The Secretary or his designee shall serve as Chairman of the Committee, the membership of which shall include (1) appropriate scientific, medical, or technical representation from the Department of Transportation, the Department of Justice, the Department of Defense, the Veterans' Administration, the National Science Foundation, the Federal Communications Commission, the National Academy of Sciences, and such other Federal agencies and offices (including appropriate agencies and offices of the Department of Health, Education, and Welfare), as the Secretary affecting the functions or responsibilities of emergency medical services systems, and (2) five individuals from the general public appointed by the President from individuals who by virtue of their training or experience are particularly qualified to participate in the performance of the Committee's functions. The Committee shall meet at the call of the Chairman, but not less often than four times a year.

"(c) Each appointed member of the Committee shall be appointed for a term of four years, except that—

"(1) any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term; and

"(2) of the members first appointed, two shall be appointed for a term of four years, two shall be appointed for a term of three years, and one shall be appointed for a term of one year, as designated by the President at the time of appointment.

Appointed members may serve after the expiration of their terms until their successors have taken office.

"(d) Appointed members of the Committee shall receive for each day they are engaged in the performance of the functions of the Committee compensation at rates not to exceed the daily equivalent of the annual rate in effect for grade GS-18 of the General Schedule, including traveltime; and all members, while so serving away from their homes or regular places of business, may be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as such expenses are authorized by section 5703 of title 5, United States Code, for persons in the Government service employed intermittently.

"(e) The Secretary shall make available to the Committee such staff, information (including copies of reports of reviews and evaluations of emergency medical services systems assisted under section 1203 or 1204), and other assistance as it may require to carry out its activities effectively.

"ANNUAL REPORT

"SEC. 1210. The Secretary shall prepare and submit annually to the Congress a report on the administration of this title. Each report shall include an evaluation of the adequacy of the provision of emergency medical services in the United States during the period covered by the report, and evaluation of the extent to which the needs for such services are being adequately met through assistance provided under this title, and his recommendations for such legislation as he determines is required to provide emergency medical services at a level adequate to meet such needs. The first report under this section shall be submitted not later than September 30, 1974, and shall cover the fiscal year ending June 30, 1974."

(b)(1) Section 1 of the Public Health

Service Act is amended by striking out "titles I to XI" and inserting in lieu thereof "titles I to XII".

(2) The Act of July 1, 1944 (58 Stat. 682), as amended, is further amended by renumbering title XII (as in effect prior to the date of enactment of this Act) as title XIII, and by renumbering sections 1201 through 1214 (as in effect prior to such date), and references thereto, as sections 1301 through 1314, respectively.

TRAINING ASSISTANCE

SEC. 3. (a) Part E of title VII of the Public Health Service Act is amended by inserting after section 775 the following new section:

"TRAINING IN EMERGENCY MEDICAL SERVICES

"SEC. 776. (a) The Secretary may make grants to and enter into contracts with schools of medicine, dentistry, osteopathy, and nursing, training centers for allied health professions, and other appropriate educational entities to assist in meeting the cost of training programs in the techniques and methods of providing emergency medical services (including the skills required in connection with the provision of ambulance service), especially training programs affording clinical experience in emergency medical services systems receiving assistance under title XII of this Act.

"(b) No grant or contract may be made or entered into under this section unless (1) the applicant is a public or nonprofit private entity, and (2) an application therefor has been submitted to, and approved by, the Secretary. Such application shall be in such form, submitted in such manner, and contain such information, as the Secretary shall by regulation prescribe.

"(c) The amount of any grant or contract under this section shall be determined by the Secretary. Payments under grants and contracts under this section may be made in advance or by way of reimbursement and at such intervals and on such conditions as the Secretary finds necessary. Grantees and contractees under this section shall make such reports at such intervals, and containing such information, as the Secretary may require.

"(d) Contracts may be entered into under this section without regard to sections 3648 and 3709 of the Revised Statutes (31 U.S.C. 529; 41 U.S.C. 5).

"(e) For the purpose of making payments pursuant to grants and contracts under this section, there are authorized to be appropriated $10,000,000 for the fiscal year ending June 30, 1974."

(b) Section 772(a) of such Act (42 U.S.C. 295f–2(a)) is amended—

(1) by striking out "or" at the end of paragraph (12),

(2) by striking out the period at the end of paragraph (13) and inserting in lieu thereof "; or", and

(3) by inserting after paragraph (13) the following new paragraph:

"(14) establish and operate programs in the interdisciplinary training of health personnel for the provision of emergency medical services, with particular emphasis on the establishment and operation of training programs affording clinical experience in emergency medical services systems receiving assistance under title XII of this Act."

(c) Section 774(a)(1)(D) of such Act (42 U.S.C. 295f–4(a)(1)(D)) is amended by inserting "(including emergency medical services" after "services" each time it appears.

STUDY

SEC. 4. The Secretary of Health, Education, and Welfare shall conduct a study to determine the legal barriers to the effective delivery of medical care under emergency conditions. The study shall include consideration of the need for a uniform conflict of laws rule prescribing the law applicable to the provision of emergency medical services to persons in the course of travels on interstate common carriers. Within twelve months of the date of the enactment of this Act, the Secretary shall report to the Congress the results of such study and recommendations for such legislation as may be necessary to overcome such barriers and provide such rule.

Mr. STAGGERS (during the reading). Mr. Chairman, I ask unanimous consent that the bill be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

AMENDMENT OFFERED BY MR. ROY

Mr. ROY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ROY: Page 7, insert "(i)" after "exceed" in line 21, and insert before the period at the end of line 22 the following: ", or (ii) in the case of a project for an emergency medical services system for a rural area, 75 per centum of the cost of that project (as so determined)".

Mr. ROY. Mr. Chairman, the amendment is a simple amendment.

Under the section on grants and contracts for expansion and improvement of Emergency Medical Services Systems, there is permission for grants and contracts not to exceed 50 percent in all other areas.

The amendment provides for the Secretary to go to 75 percent in rural areas.

The purpose of this is that in rural areas financial resources are frequently less and often rural areas have more to do to develop their medical services systems than urban areas.

Mr. STAGGERS. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I am agreeable to the amendment.

Mr. NELSEN. Mr. Chairman, I move to strike the last word.

I just want to comment that in the hearings in our committee, two of our members were very concerned about the rural areas and the lack of assurances that an adequate effort will be made to support EMS programs in these localities.

The two gentlemen I speak of are Dr. CARTER and Dr. ROY. Both these doctors ought to know this subject. Both these gentlemen today got the idea and are going to offer an amendment. They agreed on it and are going down the road together in support of this amendment, which I believe makes this an even more acceptable bill that will do a better job.

Mr. GROSS. Mr. Chairman, I move to strike the penultimate word.

Mr. Chairman, far be it from me to strike a discordant note in this love feast that is going on now with respect to this bill.

I would just like to ask the Chairman of the Committee one simple question, and that is:

How much is this bill going to cost in total?

Mr. STAGGERS. Mr. Chairman, if the gentleman will yield, the total authorization is $185 million for a 3-year period, and we hope, I will inform the gentleman from Iowa, that at the end of that time we will not have to come back.

Mr. GROSS. Did the gentleman say the figure is $185 million?

Mr. STAGGERS. The gentleman is correct. That is less than $63 million a year.

Mr. GROSS. Mr. Chairman, I will not ask the gentleman the $64 question or the $164 question, which is: Where he proposes to get the money for this new and costly program.

I will simply thank him for his response, wish the taxpayers a good afternoon and yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Kansas (Mr. ROY).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. CARTER

Mr. CARTER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. CARTER: Page 18, line 23, strike out "15 per centum" and insert in lieu thereof "20 per centum".

Mr. CARTER. Mr. Chairman, I will be quite brief.

As it happens, 66 percent of the accidental deaths occurring in the United States occur in rural areas. The rural areas, we can see, are ill prepared at the present time to take care of these accidents, and that is one of the reasons why we have so many of these deaths.

This amendment would provide that 20 percent of the funds authorized would go to rural areas. It is just that short and simple, and I urge support of this amendment.

I am happy to have worked closely with the distinguished gentleman from Kansas (Mr. ROY) toward the development of amendments emphasizing the needs of our rural areas.

The bill itself will be helpful in supplying emergency medical care to the sick and injured throughout our country. Transportation will be afforded by means of this bill by land, air, or water to assist those who are injured or who are sick.

Funds for training physicians, doctors, dentists and allied medical professionals in emergency medical services will be supported by the Federal Government so that if seriously sick or dangerously injured an individual will receive the best in emergency medical care.

Mr. STAGGERS. Mr. Chairman, I move to strike the requisite number of words.

I would like to commend the gentleman from Kentucky and the gentleman from Kansas for offering the amendments they have. I think they are really essential in order to make this a good bill. It is a good bill now, but they make it more equitable and it goes to the very heart of the problem, Dr. CARTER has said.

Sixty-six percent of accidents in these rural areas occur and they are ill prepared to handle them and need help.

This side of the committee accepts it, and I personally accept it.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Kentucky (Mr. CARTER).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. ROY

Mr. ROY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ROY: Page 8, insert at the end of line 3 the following: "The Secretary shall give special consideration to applications for grants or contracts for research relating to the delivery of emergency medical services in rural areas."

Mr. ROY. Mr. Chairman, I think the amendment speaks for itself. Again this is a part of the three amendments on which I worked with the distinguished gentleman from Kentucky (Mr. CARTER).

This simply states that the Secretary is directed by the legislation to give special consideration for applications and grants for research relating to the delivery of emergency medical services, again emphasizing the rural areas.

Mr. STAGGERS. Mr. Chairman, I move to strike the requisite number of words.

I might say this is a part of the agreement worked out. I think this, too, is very essential for the rural areas. I am prepared to accept the amendment, and all on this side are, too.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Kansas (Mr. ROY).

The amendment was agreed to.

The CHAIRMAN. Are there any further amendments? If not, under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. MATSUNAGA, Chairman of the Committee of the Whole House on the State of the Union, reported that that committee having had under consideration the bill (H.R. 10956) Emergency Medical Services Systems Act of 1973, pursuant to House Resolution 655, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. STAGGERS. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 364, nays 18, not voting 52, as follows:

[Roll No. 552]

YEAS—364

| | | |
|---|---|---|
| Abdnor | Downing | Landrum |
| Abzug | Drinan | Latta |
| Adams | Dulski | Leggett |
| Addabbo | Duncan | Lehman |
| Alexander | du Pont | Lent |
| Anderson, Calif. | Eckhardt | Litton |
| | Edwards, Ala. | Long, La. |
| Anderson, Ill. | Edwards, Calif. | Long, Md. |
| Andrews, N.C. | Eilberg | Lott |
| Andrews, N. Dak. | Erlenborn | Lujan |
| | Esch | McClory |
| Annunzio | Eshleman | McCloskey |
| Arends | Evans, Colo. | McCollister |
| Armstrong | Evins, Tenn. | McCormack |
| Ashbrook | Fascell | McDade |
| Ashley | Findley | McEwen |
| Aspin | Fish | McFall |
| Badillo | Fisher | McKay |
| Baker | Flood | McKinney |
| Barrett | Flowers | McSpadden |
| Bauman | Foley | Madden |
| Beard | Ford, Gerald R. | Madigan |
| Bell | Ford, William D. | Mallary |
| Bennett | | Mann |
| Bergland | Forsythe | Maraziti |
| Bevill | Fountain | Martin, Nebr. |
| Biaggi | Fraser | Martin, N.C. |
| Biester | Frelinghuysen | Mathias, Calif. |
| Bingham | Frenzel | Mathis, Ga. |
| Boggs | Frey | Matsunaga |
| Boland | Froehlich | Mayne |
| Bowen | Fulton | Mazzoli |
| Brademas | Fuqua | Meeds |
| Bray | Gaydos | Melcher |
| Breaux | Giaimo | Metcalfe |
| Breckinridge | Gibbons | Mezvinsky |
| Brinkley | Gilman | Michel |
| Brooks | Ginn | Miller |
| Broomfield | Goldwater | Minish |
| Brotzman | Gonzalez | Mink |
| Brown, Calif. | Goodling | Minshall, Ohio |
| Brown, Mich. | Grasso | Mitchell, Md. |
| Broyhill, N.C. | Green, Pa. | Mitchell, N.Y. |
| Broyhill, Va. | Griffiths | Mizell |
| Burgener | Gude | Moakley |
| Burke, Calif. | Gunter | Mollohan |
| Burke, Mass. | Guyer | Montgomery |
| Burlison, Mo. | Haley | Moorhead, Calif. |
| Butler | Hamilton | |
| Byron | Hammer-schmidt | Morgan |
| Camp | | Murphy, Ill. |
| Carey, N.Y. | Hanley | Murphy, N.Y. |
| Carney, Ohio | Hanna | Natcher |
| Carter | Hanrahan | Nedzi |
| Casey, Tex. | Hansen, Idaho | Nelsen |
| Cederberg | Harsha | Nichols |
| Chamberlain | Hays | Nix |
| Chappell | Hébert | Obey |
| Chisholm | Hechler, W. Va. | O'Brien |
| Clancy | Heckler, Mass. | O'Hara |
| Clark | Heinz | O'Neill |
| Clausen, Don H. | Helstoski | Owens |
| | Henderson | Parris |
| Clay | Hicks | Passman |
| Cleveland | Hillis | Patman |
| Cochran | Hinshaw | Patten |
| Cohen | Hogan | Pepper |
| Collier | Holifield | Perkins |
| Collins, Ill. | Holt | Pettis |
| Conable | Holtzman | Peyser |
| Conte | Horton | Pickle |
| Corman | Hosmer | Pike |
| Cotter | Howard | Poage |
| Coughlin | Huber | Podell |
| Cronin | Hudnut | Powell, Ohio |
| Culver | Hungate | Preyer |
| Daniel, Dan | Hunt | Price, Ill. |
| Daniel, Robert W., Jr. | Jarman | Price, Tex. |
| | Johnson, Calif. | Pritchard |
| Daniels, Dominick V. | Johnson, Pa. | Quie |
| | Jones, Ala. | Quillen |
| Danielson | Jones, N.C. | Railsback |
| Davis, Ga. | Jones, Okla. | Rangel |
| Davis, S.C. | Jones, Tenn. | Regula |
| Davis, Wis. | Jordan | Reuss |
| de la Garza | Karth | Rhodes |
| Delaney | Kastenmeier | Rinaldo |
| Dellenback | Kazen | Roberts |
| Dellums | Keating | Robison, N.Y. |
| Denholm | Kemp | Roe |
| Dent | King | Rogers |
| Devine | Kluczynski | Roncalio, Wyo. |
| Dickinson | Koch | Roncallo, N.Y. |
| Diggs | Kuykendall | Rooney, N.Y. |
| Donohue | Kyros | Rooney, Pa. |
| Rose | Stark | Ware |
| Rosenthal | Steed | Whalen |
| Rostenkowski | Steelman | White |
| Roush | Steiger, Wis. | Whitehurst |
| Rousselot | Stephens | Whitten |
| Roy | Stokes | Widnall |
| Roybal | Stratton | Williams |
| Runnels | Stubblefield | Wilson, Bob |
| Ruppe | Stuckey | Wilson, Charles H., Calif. |
| Ruth | Studds | |
| Sarasin | Sullivan | |
| Sarbanes | Symington | Wilson, Charles, Tex. |
| Satterfield | Talcott | |
| Scherle | Taylor, Mo. | Winn |
| Schneebeli | Taylor, N.C. | Wolff |
| Schroeder | Teague, Calif. | Wyatt |
| Sebelius | Thompson, N.J. | Wydler |
| Seiberling | Thomson, Wis. | Wylie |
| Shipley | Thone | Wyman |
| Shoup | Thornton | Yates |
| Shuster | Tiernan | Yatron |
| Sikes | Towell, Nev. | Young, Alaska |
| Skubitz | Udall | Young, Fla. |
| Smith, Iowa | Ullman | Young, Ga. |
| Snyder | Vander Jagt | Young, Ill. |
| Spence | Vanik | Young, S.C. |
| Staggers | Veysey | Young, Tex. |
| Stanton, J. William | Vigorito | Zablocki |
| | Waggonner | Zion |
| Stanton, James V. | Walsh | Zwach |
| | Wampler | |

NAYS—18

| | | |
|---|---|---|
| Archer | Gross | Robinson, Va. |
| Burleson, Tex. | Hutchinson | Smith, N.Y. |
| Collins, Tex. | Ichord | Steiger, Ariz. |
| Crane | Landgrebe | Symms |
| Dennis | Mahon | Treen |
| Flynt | Rarick | Wiggins |

NOT VOTING—52

| | | |
|---|---|---|
| Bafalis | Grover | Rees |
| Blackburn | Gubser | Reid |
| Blatnik | Hansen, Wash. | Riegle |
| Bolling | Harrington | Rodino |
| Brasco | Harvey | Ryan |
| Brown, Ohio | Hastings | St Germain |
| Buchanan | Hawkins | Sandman |
| Burke, Fla. | Johnson, Colo. | Saylor |
| Burton | Ketchum | Shriver |
| Clawson, Del | Macdonald | Sisk |
| Conlan | Mailliard | Slack |
| Conyers | Milford | Steele |
| Derwinski | Mills, Ark. | Teague, Tex. |
| Dingell | Moorhead, Pa. | Van Deerlin |
| Dorn | Mosher | Waldie |
| Gettys | Moss | Wright |
| Gray | Myers | |
| Green, Oreg. | Randall | |

So the bill, as amended, was passed.

The Clerk announced the following pairs:

Mr. Blatnik with Mr. Moorhead of Pennsylvania.

Mr. Rodino with Mr. Ryan.

Mrs. Hansen of Washington with Mr. Waldie.

Mr. Teague of Texas with Mr. Wright.

Mr. Harrington with Mr. Shriver.

Mr. Brasco with Mr. Mailliard.

Mr. Burton with Mr. Harvey.

Mr. Macdonald with Mr. Burke of Florida.

Mr. Mills of Arkansas with Mr. Del Clawson.

Mr. Moss with Mr. Hastings.

Mr. Reid with Mr. Buchanan.

Mr. Sisk with Mr. Grover.

Mr. St Germain with Mr. Conlon.

Mr. Conyers with Mr. Rees.

Mr. Dingell with Mr. Hawkins.

Mr. Gettys with Mr. Myers.

Mr. Dorn with Mr. Bafalis.

Mr. Gray with Mr. Sandman.

Mrs. Green of Oregon with Mr. Mosher.

Mr. Randall with Mr. Blackburn.

Mr. Milford with Mr. Saylor.

Mr. Riegle with Mr. Derwinski.

Mr. Slack with Mr. Brown of Ohio.

Mr. Van Deerlin with Mr. Steele.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

The SPEAKER. Pursuant to the provisions of House Resolution 655, the Com-

mittee on Interstate and Foreign Commerce is discharged from the further consideration of the Senate bill (S. 2410) to amend the Public Health Service Act to provide assistance and encouragement for the development of comprehensive area emergency medical service systems.

The Clerk read the title of the Senate bill.

MOTION OFFERED BY MR. STAGGERS

Mr. STAGGERS. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. STAGGERS moves to strike out all after the enacting clause of the bill S. 2410 and to insert in lieu thereof the provisions of H.R. 10956, as passed, as amended, as follows:

SHORT TITLE

SECTION 1. This Act may be cited as the "Emergency Medical Services Systems Act of 1973".

EMERGENCY MEDICAL SERVICES SYSTEM

SEC. 2. (a) The Public Health Service Act is amended by adding at the end thereof the following new title:

"TITLE XII—EMERGENCY MEDICAL SERVICES SYSTEMS

"DEFINITIONS

"SEC. 1201. For purposes of this title:

"(1) The term 'emergency medical services system' means a system which provides for the arrangement of personnel, facilities, and equipment for the effective and coordinated delivery in an appropriate geographical area of health care services under emergency conditions (occurring either as a result of the patient's condition or of natural disasters or similar situations) and which is administered by a public or nonprofit private entity which has the authority and the resources to provide effective administration of the system.

"(2) The term 'State' includes the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Trust Territory of the Pacific Islands.

"(3) The term 'modernization' means the alteration, major repair (to the extent permitted by regulations), remodeling, and renovation of existing buildings (including initial equipment thereof), and replacement of obsolete, built-in (as determined in accordance with regulations) equipment of existing buildings.

"(4) The term 'section 314(a) State health planning agency' means the agency of a State which administers or supervises the administration of a State's health planning functions under a State plan approved under section 314(a).

"(5) The term 'section 314(b) areawide health planning agency' means a public or nonprofit private agency or organization which has developed a comprehensive regional, metropolitan, or other local area plan or plans referred to in section 314(b), and the term 'section 314(b) plan' means a comprehensive regional, metropolitan, or other local area plan or plans referred to in section 314(b).

"GRANTS AND CONTRACTS FOR FEASIBILITY STUDIES AND PLANNING

"SEC. 1202. (a) The Secretary may make grants to and enter into contracts with eligible entities (as defined in section 1206(a)) for projects which include both (1) studying the feasibility of establishing (through expansion or improvement of existing services or otherwise) and operating an emergency medical services system, and (2) planning the establishment and operation of such a system.

"(b) If the Secretary makes a grant or enters into a contract under this section for a study and planning project respecting an emergency medical services system for a particular geographical area, the Secretary may not make any other grant or enter into any other contract under this section for such project, and he may not make a grant or enter into a contract under this section for any other study and planning project respecting an emergency medical services system for the same area or for an area which includes (in whole or substantial part) such area.

"(c) Reports of the results of any study and planning project assisted under this section shall be submitted to the Secretary and the Interagency Committee on Emergency Medical Services at such intervals as the Secretary may prescribe, and a final report of such results shall be submitted to the Secretary and such Committee not later than one year from the date the grant was made or the contract entered into, as the case may be.

"(d) An application for a grant or contract under this section shall—

"(1) demonstrate to the satisfaction of the Secretary the need of the area for which the study and planning will be done for an emergency medical services system;

"(2) contain assurances satisfactory to the Secretary that the applicant is qualified to plan an emergency medical services system for such area; and

"(3) contain assurances satisfactory to the Secretary that the planning will be conducted in cooperation (A) with each section 314(b) areawide health planning agency whose section 314(b) plan covers (in whole or in part) such area, and (B) with any emergency medical services council or other entity responsible for review and evaluation of the provision of emergency medical services in such area.

"(e) The amount of any grant under this section shall be determined by the Secretary.

"GRANTS AND CONTRACTS FOR ESTABLISHING AND INITIAL OPERATION

"SEC. 1203. (a) The Secretary may make grants to and enter into contracts with eligible entities (as defined in section 1206(a)) for the establishment and initial operation of emergency medical services systems.

"(b) Special consideration shall be given to applications for grants and contracts for systems which will coordinate with statewide emergency medical services system.

"(c)(1) Grants and contracts under this section may be used for the modernization of facilities for emergency medical services systems and other costs of establishment and initial operation.

"(2) Each grant or contract under this section shall be made for costs of establishment and operation in the year for which the grant or contract is made. If a grant or contract is made under this section for a system, the Secretary may make one additional grant or contract for that system if he determines, after a review of the first nine months' activities of the applicant carried out under the first grant or contract, that the applicant is satisfactorily progressing in the establishment and operation of the system in accordance with the plan contained in his application (pursuant to section 1206(b)(4)) for the first grant or contract.

"(3) No grant or contract may be made under this section for the fiscal year ending June 30, 1976, to an entity which did not receive a grant or contract under this section for the preceding fiscal year.

"(4) Subject to section 1206(f)—

"(A) the amount of the first grant or contract under this section for an emergency medical services system may not exceed (i) 50 per centum of the establishment and operation costs (as determined pursuant to regulations of the Secretary) of the system for the year for which the grant or contract is made, or (ii) in the case of applications which demonstrate an exceptional need for financial assistance, 75 per centum of such costs for such year; and

"(B) the amount of the second grant or contract under this section for a system may not exceed (i) 25 per centum of the establishment and operation costs (as determined pursuant to regulations of the Secretary) of the system for the year for which the grant or contract is made, or (ii) in the case of applications which demonstrate an exceptional need for financial assistance, 50 per centum of such costs for such year.

"(5) In considering applications which demonstrate exceptional need for financial assistance, the Secretary shall give special consideration to applications submitted for emergency medical services systems for rural areas (as defined in regulations of the Secretary).

"GRANTS AND CONTRACTS FOR EXPANSION AND IMPROVEMENT

"SEC. 1204. (a) The Secretary may make grants to and enter into contracts with eligible entities (as defined in section 1206(a)) for projects for the expansion and improvement of emergency medical services systems, including the acquisition of equipment and facilities, the modernization of facilities, and other projects to expand and improve such systems.

"(b) Subject to section 1206(f), the amount of any grant or contract under this section for a project shall not exceed (i) 50 per centum of the cost of that project (as determined pursuant to regulations of the Secretary, or (ii) in the case of a project for an emergency medical services system for a rural area, 75 per centum of the cost of that project (as so determined).

"GRANTS AND CONTRACTS FOR RESEARCH

"SEC. 1205. (a) The Secretary may make grants to public or private nonprofit entities, and enter into contracts with private entities and individuals, for the support of research in emergency medical techniques, methods, devices, and delivery. The Secretary shall give special consideration to applications for grants or contracts for research relating to the delivery of emergency medical services in rural areas.

"(b) No grant may be made or contract entered into under this section for amounts in excess of $35,000 unless the application therefor has been recommended for approval by an appropriate peer review panel designated or established by the Secretary. Any application for a grant or contract under this section shall be submitted in such form and manner, and contain such information, as the Secretary shall prescribe in regulations.

"(c) The recipient of a grant or contract under this section shall make such reports to the Secretary as the Secretary may require.

"GENERAL PROVISIONS RESPECTING GRANTS AND CONTRACTS

"SEC. 1206. (a) For purposes of sections 1202, 1203, and 1204, the term 'eligible entity' means—

"(1) a State,

"(2) a unit of general local government,

"(3) a public entity administering a compact or other regional arrangement or consortium, or

"(4) any other public entity and any nonprofit private entity.

"(b)(1) No grant or contract may be made under this title unless an application therefor has been submitted to, and approved by, the Secretary.

"(2) In considering applications submitted under this title, the Secretary shall give priority to applications submitted by the entities described in clauses (1), (2), and (3) of subsection (a).

"(3) No application for a grant or contract under section 1202 may be approved unless—

"(A) the application meets the application requirements of such section;

"(B) in the case of an application submitted by a public entity administering a compact or other regional arrangement or consortium, the compact or other regional arrangement or consortium includes each unit of general local government of each standard metropolitan statistical area (as determined by the Office of Management and Budget) located (in whole or in part) in the service area of the emergency medical services system for which the application is submitted;

"(C) in the case of an application submitted by an entity described in clause (4) of subsection (a), such entity has provided a copy of its application to each entity described in clauses (1), (2), and (3) of such subsection which is located (in whole or in part) in the service area of the emergency medical services system for which the application is submitted and has provided each such entity a reasonable opportunity to submit to the Secretary comments on the application;

"(D) the—

"(i) section 314(a) State health planning agency of each State in which the service area of the emergency medical services system for which the application is submitted will be located, and

"(ii) section 314(b) areawide health planning agency (if any) whose section 314(b) plan covers (in whole or in part) the service area of such system, have had not less than thirty days (measured from the date a copy of the application was submitted to the agency by the applicant) in which to comment on the application;

"(E) the applicant agrees to maintain such records and make such reports to the Secretary as the Secretary determines are necessary to carry out the provisions of this title; and

"(F) the application is submitted in such form and such manner and contains such information (including specification of applicable provisions of law or regulations which restrict the full utilization of the training and skills of health professions and allied and other health personnel in the provision of health care services in such a system) as the Secretary shall prescribe in regulations.

"(4)(A) An application for a grant or contract under section 1203 or 1204 may not be approved by the Secretary unless (i) the application meets the requirements of subparagraphs (B) through (F) of paragraph (3), and (ii) except as provided in subparagraph (B)(ii), the applicant (I) demonstrates to the satisfaction of the Secretary that the emergency medical services system for which the application is submitted will, within the period specified in subparagraph (B)(i), meet each of the emergency medical services system requirements specified in subparagraph (C), and (II) provides in the application a plan satisfactory to the Secretary for the system to meet each such requirement within such period.

"(B)(i) The period within which an emergency medical services system must meet each of the requirements specified in subparagraph (A) is the period of the grant or contract for which application is made; except that if the applicant demonstrates to the satisfaction of the Secretary the inability of the applicant's emergency medical services system to meet one or more of such requirements within such period, the period (or periods within which the system must meet such requirement (or requirements) is such period (or periods) as the Secretary may require.

"(ii) If an applicant submits an application for a grant or contract under section 1203 or 1204 and demonstrates to the satisfaction of the Secretary the inability of the system for which the application is submitted to meet one or more of the requirements specified in subparagraph (C) within any specific period of time, the demonstration and plan prerequisites prescribed by clause (ii) of subparagraph (A) shall not apply with respect to such requirement (or requirements) and the applicant shall provide in his application a plan, satisfactory to the Secretary, for achieving appropriate alternatives to such requirement (or requirements).

"(C) An emergency medical services system shall—

"(i) include an adequate number of health professions, allied health professions, and other health personnel with appropriate training and experience;

"(ii) provide for its personnel appropriate training (including clinical training) and continuing education programs which (I) are coordinated with other programs in the system's service area which provide similar training and education, and (II) emphasize recruitment and necessary training of veterans of the Armed Forces with military training and experience in health care fields and of appropriate public safety personnel in such area;

"(iii) join the personnel, facilities, and equipment of the system by a central communications system so that requests for emergency health care services will be handled by a communications facility which (I) utilizes emergency medical telephonic screening, (II) utilizes or, within such period as the Secretary prescribes will utilize, the universal emergency telephone number 911, and (III) will have direct communication connections and interconnections with the personnel, facilities, and equipment of the system and with other appropriate emergency medical services systems;

"(iv) include an adequate number of necessary ground, air, and water vehicles and other transportation facilities to meet the individual characteristics of the system's service area—

"(I) which vehicles and facilities meet appropriate standards relating to location, design, performance, and equipment, and

"(II) the operators and other personnel for which vehicles and facilities meet appropriate training and experience requirements;

"(v) include an adequate number of easily accessible emergency medical services facilities which are collectively capable of providing services on a continuous basis, which have appropriate nonduplicative and categorized capabilities, which meet appropriate standards relating to capacity, location, personnel, and equipment, and which are coordinated with other health care facilities of the system;

"(vi) provide access (including appropriate transportation) to specialized critical medical care units in the system's service area, or, if there are no such units or an inadequate number of them in such area, provide access to such units in neighboring areas if access to such units is feasible in terms of time and distance;

"(vii) provide for the effective utilization of the appropriate personnel, facilities, and equipment of each public safety agency providing emergency services in the system's service area;

"(viii) be organized in a manner that provides persons who reside in the system's service area and who have no professional training or financial interest in the provision of health care with an adequate opportunity to participate in the making of policy for the system;

"(ix) provide, without prior inquiry as to ability to pay, necessary emergency medical services to all patients requiring such services;

"(x) provide for transfer of patients to facilities and programs which offer such followup care and rehabilitation as is necessary to effect such followup care and rehabilitation as is necessary to effect the maximum recovery of the patient;

"(xi) provide for a standardized patient recordkeeping system meeting appropriate standards established by the Secretary, which records shall cover the treatment of the patient from initial entry into the system through his discharge from it, and shall be consistent with ensuing patient records used in followup care and rehabilitation of the patient;

"(xii) provide programs of public education and information in the system's service area (taking into account the needs of visitors to, as well as residents of, that area to know or be able to learn immediately the means of obtaining emergency medical services) which programs stress the general dissemination of information regarding appropriate methods of medical self-help and first-aid and regarding the availability of first-aid training programs in the area;

"(xiii) provide for (I) periodic, comprehensive, and independent review and evaluation of the extent and quality of the emergency health care services provided in the system's service area, and (II) submission to the Secretary of the reports of each such review and evaluation;

"(xiv) have a plan to assure that the system will be capable of providing emergency medical services in the system's service area during mass casualties, natural disasters, or national emergencies; and

"(xv) provide for the establishment of appropriate arrangements with emergency medical services systems or similar entities serving neighboring areas for the provision of emergency medical services on a reciprocal basis where access to such services would be more appropriate and effective in terms of the services available, time, and distance.

The Secretary shall by regulations prescribe standards and criteria for the requirements prescribed by this subparagraph. In prescribing such standards and criteria, the Secretary shall consider relevant standards and criteria prescribed by other public agencies and by private organizations.

"(c) Payments under grants and contracts under this title may be made in advance or by way of reimbursement and in such installments and on such conditions as the Secretary determines will most effectively carry out this title.

"(d) Contracts may be entered into under this title without regard to sections 3648 and 3709 of the Revised Statutes (31 U.S.C. 529; 41 U.S.C. 5).

"(e) No funds appropriated under any provision of this Act other than section 1207 or title VII may be used to make a new grant or contract in any fiscal year for a purpose for which a grant or contract is authorized by this title unless (1) all the funds authorized to be appropriated by section 1207 for such fiscal year have been appropriated and made available for obligation in such fiscal year, and (2) such new grant or contract is made in accordance with the requirements of this title that would be applicable to such grant or contract if it was made under this title. For purposes of this subsection the term 'new grant or contract' means a grant or contract for a program or project for which an application was first submitted after the date of the enactment of the Act which makes the first appropriations under the authorizations contained in section 1207.

"(f)(1) In determining the amount of any grant or contract under section 1203 or 1204, the Secretary shall take into consideration the amount of funds available to the applicant from Federal grant or contract programs under laws other than this Act for any activity which the applicant proposes to undertake in connection with the establishment and operation or expansion and improvement of an emergency medical services system and for which the Secretary may authorize the use of funds under a grant or contract under sections 1203 and 1204.

"(2) The Secretary may not authorize the recipient of a grant or contract under section 1203 or 1204 to use funds under such grant or contract for any training program in connection with an emergency medical services system unless the applicant filed an application (as appropriate) under title VII or VIII for a grant or contract for such program and such application was not approved or was approved but for which no or inadequate funds were made available under such title.

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 1207. (a) (1) For the purpose of making payments pursuant to grants and contracts under sections 1202, 1203, and 1204, there are authorized to be appropriated $30,000,000 for the fiscal year ending June 30, 1974, and $60,000,000 for the fiscal year ending June 3, 1975; and for the purpose of making payments pursuant to grants and contracts under sections 1203 and 1204 for the fiscal year ending June 30, 1976, there are authorized to be appropriated $70,000,000.

"(2) Of the sums appropriated under paragraph (1) for any fiscal year, not less than 20 per centum shall be made available for grants and contracts under this title for such fiscal year for emergency medical services systems which serve or will serve rural areas (as defined in regulations of the Secretary under section 1203(c)(5)).

"(3) Of the sums appropriated under paragraph (1) for the fiscal year ending June 30, 1974, or the succeeding fiscal year—

"(A) 15 per centum of such sums for each such fiscal year shall be made available only for grants and contracts under section 1202 (relating to feasibility studies and planning) for such fiscal year;

"(B) 60 per centum of such sums for each such fiscal year shall be made available only for grants and contracts under section 1203 (relating to establishment and initial operation) for such fiscal year; and

"(C) 25 per centum of such sums for each such fiscal year shall be made available only for grants and contracts under section 1204 (relating to expansion and improvement) for such fiscal year.

"(4) Of the sums appropriated under paragraph (1) for the fiscal year ending June 30, 1976—

"(A) 75 per centum of such sums shall be made available only for grants and contracts under section 1203 for such fiscal year, and

"(B) 25 per centum of such sums shall be made available only for grants and contracts under section 1204 for such fiscal year.

"(b) For the purpose of making payments pursuant to grants and contracts under section 1205 (relating to research), there are authorized to be appropriated $5,000,000 for the fiscal year ending June 30, 1974, and for each of the next two fiscal years.

"ADMINISTRATION

"SEC. 1208. The Secretary shall administer the program of grants and contracts authorized by this title through an identifiable administrative unit within the Department of Health, Education, and Welfare. Such unit shall also be responsible for collecting, analyzing, cataloging, and disseminating all data useful in the development and operation of emergency medical services systems, including data derived from reviews and evaluations of emergency medical services systems assisted under section 1203 or 1204.

"INTERAGENCY COMMITTEE ON EMERGENCY MEDICAL SERVICES

"SEC. 1209. (a) The Secretary shall establish an Interagency Committee on Emergency Medical Services. The Committee shall evaluate the adequacy and technical soundness of all Federal programs and activities which relate to emergency medical services and provide for the communication and exchange of information necessary to maintain the coordination and effectiveness of such programs and activities, and shall make recommendations to the Secretary respecting the administration of the program of grants and contracts under this title (including the making of regulations for such program).

"(b) The Secretary or his designee shall serve as Chairman of the Committee, the membership of which shall include (1) appropriate scientific, medical, or technical representation from the Department of Transportation, the Department of Justice, the Department of Defense, the Veterans' Administration, the National Science Foundation, the Federal Communications Commission, the National Academy of Sciences, and such other Federal agencies and offices (including appropriate agencies and offices of the Department of Health, Education, and Welfare), as the Secretary determines administer programs directly affecting the functions or responsibilities of emergency medical services systems, and (2) five individuals from the general public appointed by the President from individuals who by virtue of their training or experience are particularly qualified to participate in the performance of the Committee's functions. The Committee shall meet at the call of the Chairman, but not less often than four times a year.

"(c) Each appointed member of the Committee shall be appointed for a term of four years, except that—

"(1) any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term; and

"(2) of the members first appointed, two shall be appointed for a term of four years, two shall be appointed for a term of three years, and one shall be appointed for a term of one year, as designated by the President at the time of appointment.

Appointed members may serve after the expiration of their terms until their successors have taken office.

"(d) Appointed members of the Committee shall receive for each day they are engaged in the performance of the functions of the Committee compensation at rates not to exceed the daily equivalent of the annual rate in effect for grade GS–18 of the General Schedule, including traveltime; and all members, while so serving away from their homes or regular places of business, may be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as such expenses are authorized by section 5703 of title 5, United States Code, for persons in the Government service employed intermittently.

"(e) The Security shall make available to the Committee such staff, information (including copies of reports of reviews and evaluations of emergency medical services systems assisted under section 1203 or 1204), and other assistance as it may require to carry out its activities effectively.

"ANNUAL REPORT

"SEC. 1210. The Secretary shall prepare and submit annually to the Congress a report on the administration of this title. Each report shall include an evaluation of the adequacy of the provision of emergency medical services in the United States during the period covered by the report, and evaluation of the extent to which the needs for such services are being adequately met through assistance provided under this title, and his recommendations for such legislation as he determines is required to provide emergency medical services at a level adequate to meet such needs. The first report under this section shall be submitted not later than September 30, 1974, and shall cover the fiscal year ending June 30, 1974."

(b)(1) Section 1 of the Public Health Service Act is amended by striking out "titles I to XI" and inserting in lieu thereof "titles I to XII".

(2) The Act of July 1, 1944 (58 Stat. 682), as amended, is further amended by renumbering title XII (as in effect prior to the date of enactment of this Act) as title XIII, and by renumbering sections 1201 through 1214 (as in effect prior to such date), and references thereto, as sections 1301 through 1314, respectively.

TRAINING ASSISTANCE

SEC. 3. (a) Part E of title VII of the Public Health Service Act is amended by inserting after section 775 the following new section:

"TRAINING IN EMERGENCY MEDICAL SERVICES

"SEC. 776. (a) The Secretary may make grants to and enter into contracts with schools of medicine, dentistry, osteopathy, and nursing, training centers for allied health professions, and other appropriate educational entities to assist in meeting the cost of training programs in the techniques and methods of providing emergency medical services (including the skills required in connection with the provision of ambulance service), especially training programs affording clinical experience in emergency medical services systems receiving assistance under title XII of this Act.

"(b) No grant or contract may be made or entered into under this section unless (1) the applicant is a public or nonprofit private entity, and (2) an application therefor has been submitted to, and approved by, the Secretary. Such application shall be in such form, submitted in such manner, and contain such information, as the Secretary shall by regulation prescribe.

"(c) The amount of any grant or contract under this section shall be determined by the Secretary. Payments under grants and contracts under this section may be made in advance or by way of reimbursement and at such intervals and on such conditions as the Secretary finds necessary. Grantees and contractees under this section shall make such reports at such intervals, and containing such information, as the Secretary may require.

"(d) Contracts may be entered into under this section without regard to sections 3648 and 3709 of the Revised Statutes (31 U.S.C. 529; 41 U.S.C. 5).

"(e) For the purpose of making payments pursuant to grants and contracts under this section, there are authorized to be appropriated $10,000,000 for the fiscal year ending June 30, 1974."

(b) Section 772(a) of such Act (42 U.S.C. 295f–2(a)) is amended—

(1) by striking out "or" at the end of paragraph (12),

(2) by striking out the period at the end of paragraph (13) and inserting in lieu thereof "; or", and

(3) by inserting after paragraph (13) the following new paragraph:

"(14) establish and operate programs in the interdisciplinary training of health personnel for the provision of emergency medical services, with particular emphasis on the establishment and operation of training programs affording clinical experience in emergency medical services systems receiving assistance under title XII of this Act."

(c) Section 774(a)(1)(D) of such Act (42 U.S.C. 295f–4(a)(1)(D)) is amended by inserting "(including emergency medical services" after "services" each time it appears.

STUDY

SEC. 4. The Secretary of Health, Education, and Welfare shall conduct a study to determine the legal barriers to the effective delivery of medical care under emergency conditions. The study shall include consideration of the need for a uniform conflict of laws rule prescribing the law applicable to the provision of emergency medical services to persons in the course of travels on interstate

common carriers. Within twelve months of the date of the enactment of this Act, the Secretary shall report to the Congress the results of such study and recommendations for such legislation as may be necessary to overcome such barriers and provide such role.

The motion was agreed to.

The Senate bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H.R. 10956) was laid on the table.

## GENERAL LEAVE

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill just passed.

The SPEAKER. Is there objection to further request of the gentleman from West Virginia?

There was no objection.

## PERSONAL EXPLANATION

Mr. RODINO. Mr. Speaker, I would like to announce that I was on important committee business and that I failed to vote on the vote which was just taken. Had I been present, I would have voted "aye."

## PERSONAL EXPLANATION

Mr. RANDALL. Mr. Speaker, I unavoidably missed the vote on the bill just passed due to official business.

Had I been present, I would have voted "aye."

## PERMISSION FOR COMMITTEE ON WAYS AND MEANS TO FILE REPORT

Mr. ULLMAN. Mr. Speaker, I ask unanimous consent that the Committee on Ways and Means have until midnight tonight to file the report on H.R. 11104, to provide for a temporary increase in the public debt ceiling, along with any supplemental and/or minority views.

The SPEAKER. Is there objection to the request of the gentleman from Oregon?

There was no objection.

## LEGISLATIVE PROGRAM

(Mr. GERALD R. FORD asked and was given permission to address the House for 1 minute.)

Mr. GERALD R. FORD. Mr. Speaker, I take this time for the purpose of inquiring of the distinguished majority leader the program for the remainder of the week, if any, and the schedule for next week.

Mr. O'NEILL. Mr. Speaker, will the gentleman yield?

Mr. GERALD R. FORD. I am happy to yield to my friend from Massachusetts.

Mr. O'NEILL. I shall be happy to respond to the gentleman's inquiry.

Mr. Speaker, the program for the House of Representatives for the week of October 29, 1973, is as follows:

Monday, there will be no legislative business. The House will be in session.

Tuesday, there will be consideration of H.R. 9456, the drug abuse education extension bill, under an open rule with 1 hour of debate.

Wednesday, there are scheduled S. 1081, the conference report on the trans-Alaskan pipeline authorization, and the bill providing for the public debt limit increase, subject to a rule being granted.

For Thursday and the balance of the week, there are scheduled the vote on the veto override of House Joint Resolution 542, the war powers resolution; and H.R. 10265, audits of the Federal Reserve Board, subject to a rule being granted.

Conference reports may be brought up at any time, and any further program will be announced later.

I am sure Members are aware of the fact that there are many important conference committees meeting on pending legislation at the present time, and it could very well be that during the course of the week, after Monday, we will have conference reports to consider.

## ADJOURNMENT OVER TO MONDAY, OCTOBER 29, 1973

Mr. O'NEILL. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

Mr. GROSS. Mr. Speaker, reserving the right to object, and I shall not object, in this mad rush to adjournment is any provision being made or is any plan being made for a recess for Thanksgiving and again for Christmas?

Mr. O'NEILL. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Massachusetts.

Mr. O'NEILL. I must say that there was talk involving the leadership, in the whip organization meeting a week ago. Thanksgiving was informally discussed, and the tentative conclusion was that we would be in recess the week of Thanksgiving.

I am sure the gentleman is aware of the situation which exists around here, with the Senate majority leaders concerning the events of the last weekend. There is legislation pending before the Congress.

I am sure all Members are aware of the fact that an alert has taken place today.

The important legislation, other than that, which we had anticipated, would have been the debt limit bill, the trade bill and completion of action on the military procurement and construction authorization, as well as the bills for the defense procurement and construction appropriations, and the foreign affairs appropriations. That would have been the necessary legislation work for the year.

It is hard to estimate and it is hard to pin down any particular time when we are going to adjourn finally for the year. I would have to say that there are present plans for a week off at Thanksgiving time, with a great possibility that we would not be in on the Friday before that week and not be in on the Monday after. Those are in the formative stage. The Speaker will discuss the matter with the minority leader.

Mr. GROSS. I take it from those remarks Grandpa Gross can be prepared to wear his Christmas uniform in Washington?

Mr. O'NEILL. I say, not seriously of course, that the gentleman would not make much of a Santa Claus.

Mr. GROSS. With considerable respect, I do not propose to be a Santa Claus.

Let me ask the gentleman, in a more serious vein, when may we expect to get the conference report on the Defense Department procurement authorization bill?

Mr. O'NEILL. I would have to say that is subject to action by the gentleman from Louisiana (Mr. HÉBERT). After having talked with the gentleman I would say we can expect it to be called up next week.

Mr. GROSS. I thank the gentleman.

Mr. Speaker, I withdraw my reservation.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

## DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Mr. O'NEILL. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule may be dispensed with on Wednesday next.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

## THE MIDDLE EAST SITUATION

(Mr. O'NEILL asked and was given permission to address the House for 1 minute.)

Mr. O'NEILL. Mr. Speaker, may I say that on my way to the White House this morning, to the briefing of the leadership on both sides of the aisle for the House and the Senate, I was listening to the radio and heard that we had an alert. When I arrived at the White House this morning, the President and Mr. Kissinger gave a confidential report to the leadership as to what the conditions were in the Middle East situation at that time.

Some of the Members, particularly on my side of the aisle, have questioned me about the meeting. I have been reluctant to say anything that transpired, because I feel it was confidential.

I actually believe that the Nation at this particular time is going through a very, very serious 24 or 48 hours. I must say, after having listened to the President and after having listened to Mr. Kissinger, to my mind there is absolutely nothing political in this matter.

Mr. Speaker, I want the Members of the Congress of the United States to know that the alert is of serious conse-

quence to our Nation. I hope that the matter which is presently before the world is settled in the U.N. within the next 24 hours.

I listened this morning to Mr. Kissinger in his briefing, and he discussed many of these matters with us. I do not want to go into these matters myself, but I do wish to address myself to the Members on my side of the aisle.

I want to say this to the Members: in time of crisis we stay together.

In my opinion, there is nothing political about what is going on now. It is really a deep and a serious matter, and it is one of great interest to this country.

## PERSONAL EXPLANATION

Mr. GUBSER. Mr. Speaker, on the vote just concluded, on the consideration of the Emergency Medical Services Systems Act of 1973, I was present, I inserted my card, and voted "aye." I would like the RECORD to show that, although I was present and did vote "aye," this electronic device failed to record my vote.

## PERSONAL EXPLANATION

Mr. SEIBERLING. Mr. Speaker, I missed the vote on the legislation which we enacted today, the Emergency Medical Services Systems Act of 1973, because I was unavoidably detained. Had I been present, I would have voted "aye."

## A CHANCE FOR PEACE

(Mr. PODELL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PODELL. Mr. Speaker, the future of the Middle East is not much clearer now than it was before the new cease-fire was proposed and agreed to. On the Suez front the battle rages with each side blaming the other for the violation. In the north, Syria, showing her normal distrust for peace has not answered the proposals and Iraq has flatly rejected them. Still the prospects for temporary quiet are good by virtue of Israeli control of the military situation. The Egyptian forces on the East bank of Suez are threatened with annihilation and the Syrians have been neutralized.

If Mr. Kissinger and Mr. Brezhnev had agreed upon a settlement before the war broke out a great deal of suffering might have been avoided. The complicity of the Soviets in encouraging the fighting is clear. Nonetheless an agreement has now been reached and we must lay recriminations aside and look to the future. The terms of the cease-fire are ambiguous. They refer to an immediate implementation of the 1967 U.N. resolution. It is precisely the interpretation of the 1967 agreement that has been at issue these past 6 years. The Arabs hold that a complete Israeli withdrawal from all captured territories is a necessary prerequisite to a settlement, while Israel holds that any withdrawal can only be an element in a negotiated settlement for secure boundaries. The gulf is enormous.

But there is hope. Part of the cease-fire arrangement calls for negotiations to implement the 1967 resolution. If Egypt makes good on this promise there may at last be the direct negotiations which Israel has consistently maintained are the necessary first step towards peace. If both sides can modify their fears and their pride perhaps true progress can be made.

The Egyptians while, in the end, defeated in battle have demonstrated to themselves, to the world, and to the Israelis that they are brave men and good soldiers. Their army will not return home in the bitter disgrace which followed the 6-day war. This new-found self-confidence may enable them to deal more realistically at the conference table. The negotiations will, at best, be long and difficult and the security of Israel can in no wise be jeopardized; but the arrangement worked out with the Soviet Union does provide some hope for peace, if not for overconfidence.

All in all, I am truly gratified by the curernt policy of the U.S. Government. I only wish the administration were as rational in all its actions. In addition to achieving a cease-fire through diplomatic efforts, we have properly assured the military security of Israel. Already over $800 million worth of arms have been rushed to Israel to counter massive continuing shipments by the Russians to Syria and Egypt. The Soviet action left this country with no choice: Israel could not be left weaponless. I would also commend the administration's request for authority to provide $2.2 billion in military assistance to Israel.

In the past Israel has always paid for American arms and she will continue to do so to the extent possible. However, the enormous losses incurred in the war make it necessary to grant the President this new authority. The costs have been literally in the billions and these arms must be replaced as security needs dictate not according to an ability-to-pay timetable. The future is obscure and Israel must be safe if our hopes for peace are once again disappointed. I am confident that Congress will approve the President's request due speed.

## PEANUT PROGRAM

(Mr. MATHIS of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MATHIS of Georgia. Mr. Speaker, yesterday morning the Secretary of Agriculture, Mr. Earl Butz, proved once again that this administration could care less about the farming community in this country. In proposing the new administrative changes for the 1974 peanut program, he not only displayed disdain for the farmer but a gross lack of knowledge about the actual growing of peanuts. Rather than delving on all the proposed changes, I think the new regulation to eliminate the transfer of allotments by lease or sale epitomizes the complete irrationality of the new decisions.

This one regulation could destroy the entire peanut program in itself for the simple reason that most farmers have already leased their allotments for the 1974 crops and in many cases the money has already changed hands.

While the Department is espousing the theory that agricultural exports will decrease our balance-of-trade deficits, they are playing God with individuals whose livelihood depends on making a livable income from farming, and I challenge Mr. Butz to closely examine the individual farmers while he is manipulating them on an international level.

Spokesmen for the Department made a commitment to the members of the Agriculture Committee that before any new changes were made that they would come to the Hill and sit down with us and discuss any new changes. Based on previous actions, I guess I should not have been so naive as to have believed them.

I would only remind the Secretary that behind his demagogic colloquy, the peanut community recognized the threat to destroy the program by administrative action if Congress does not pass new legislation. This threat is not new. as the Department knows, and when and if they come to discuss these proposals they had better have more accurate information than they have been publishing. I might also suggest to the Secretary that, instead of using consultants who probably think peanuts grow on trees, that he seek the advice of some Georgia farmers who make their living growing and selling peanuts.

Let me close, Mr. Speaker, by simply stating that this administration seems committed to the idea that if it runs out of people to alienate, it should double its efforts to find somebody new. I congratulate them on being successful once again.

## REESTABLISHMENT OF THE OFFICE OF THE SPECIAL PROSECUTOR

(Mr. COHEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. COHEN. Mr. Speaker, during the past 5 days we have witnessed a display of national anger and concern which I believe has been seldom matched in this county's history. When on Friday evening, the President announced his compromise concerning the tapes and also instructed Mr. Cox as special prosecutor to cease and desist from further judicial efforts to secure tapes, notes and memoranda regarding the 1972 election and related events, a chain of events was set into motion which with the resignations of the Attorney General and Deputy Attorney General and the dismissal of the special prosecutor culminated in a true national crisis in confidence. The American people, whose Nation had been founded on the principles of equality and justice, suddenly felt that they could expect neither from their own Government, and they made it very clear that they would not tolerate this kind of situation.

The President's sudden decision Tuesday to submit the actual tapes to the

district court and his firm statement through his counsel Charles Alan Wright that he did not consider himself above the law, was a welcome and reassuring response to the intense public reaction, and I believe it has begun to dispel the terrible suspicions that the President was trying to circumvent justice.

Hopefully, the President will go even further tonight in his efforts to reassure the American people.

Regardless of these developments, however, one fact is still evident. Though the President has a constitutional right to dismiss Archibald Cox and abolish the Office of Special Prosecutor, his doing so was a principal factor in precipitating the present crisis. The firm reassurances of Acting Attorney General Bork that the Justice Department under Henry Peterson will continue to pursue the investigations started by the special prosecutor have done little to assure the public that criminal violations not related to the tapes will be vigorously investigated. I have come to believe, therefore, that only the appointment of a new special prosecutor under the old guarantees and guidelines of independence will be really effective in restoring the confidence of the Nation. For this reason, I am today introducing a resolution on behalf of myself and Congressman JOHN ANDERSON, HOWARD ROBISON, JOEL PRITCHARD, and RONALD SARASIN which urges the President to immediately reestablish the Office of the Special Prosecutor and to appoint a new Attorney General. The resolution also provides that before the Attorney General is confirmed he is to inform the Congress of whom he will name as Special Prosecutor and pledge that he will do everything in his power to protect the independence of that individual in fulfilling the duties of the office. Finally, the resolution provides, as an extra protection, that the Special Prosecutor himself would be subject to Senate confirmation.

There are several reasons behind the offering of this resolution. First, I feel it essential that the Congress clearly states that the Justice Department should not lack congressional confirmed and publicly supported leadership during this critical period when so many questions have been raised about the Department's ability to perform its responsibilities. Second, while I personally have every confidence in the ability and dedication of Mr. Bork and Mr. Peterson in the handling of the Watergate prosecution, I also realize that many others in this country have serious doubts about the amount of independence and flexibility they can actually maintain, faced as they are with inevitable pressures from both the White House and the public. In situations such as we are now facing, it is vital that we have not only justice, but the appearance of justice as well, and in my view only the reestablishment of the Special Prosecutor's Office can achieve this effectively.

The resolution also reflects my belief that the Office of the Special Prosecutor should continue to be located in the executive branch and within the Justice Department. I am aware of the bill that has been introduced by a number of my colleagues which would provide for reestablishing the office under the protection of the judicial branch with the new special prosecutor to be appointed by the chief judge of the U.S. District Court. I feel, however, that two serious objections can be raised to this approach. For one, there is considerable doubt whether it would be considered constitutionally correct. Regardless of individual opinion on this issue, it is certain that enactment of such legislation would lead to a protracted process of Presidential vetoes and/or challenges in the courts and thus divisiveness and delay. This would be incalculably discouraging and frustrating to the Nation. Second, I believe it could prove ultimately disastrous to the basic principle of separation of powers to fuse the judicial and executive functions. Even if the chief judge disqualifies himself from the case after appointing the special prosecutor, I fear that charges could develop of collusion between the prosecutor and the presiding judge, which would forever taint the impartiality of the judicial branch, however unfounded those charges might be.

It has been maintained that recent events have proven that it is impossible to have this investigation housed in the executive branch since it is pursuing possible misconduct of high executive officials. The dismissal of Mr. Cox by the President is cited as ultimate proof. In my opinion, however, the contrary is true. While Mr. Cox admittedly had great difficulties in procuring certain materials from the White House, I believe it would be even more difficult for an individual outside the executive branch and the Justice Department to obtain that information.

Also, the placement of the Office within the Justice Department actually insulated it from the White House, principally because of the Attorney-General's public commitment that he would work to maintain the independence and impartiality of that investigation. Because of that commitment, Special Prosecutor Cox was dismissed only after both the Attorney General and Deputy Attorney General had resigned. And I believe we would all admit that those resignations were a substantial reason for the intensity of feeling that developed in this country over the President's action and for the resulting decision of the President to submit the tapes. Recognizing the effectiveness of this mechanism, I believe that it should be continued, rather than taking the office out of executive branch or setting it up, as others have proposed as an independent agency. Further, I feel that the events of the past weekend will make it even more difficult for the President to discharge the special prosecutor without evidence of extreme improprieties and without the full support of the Attorney General.

In summary, I firmly believe that the most prompt and effective method of restoring public confidence is to reestablish the Office of the Special Prosecutor under procedures and guidelines which have already been established and proven effective. I hope that my colleagues will support me in this effort. Further, it is my hope and expectation that the President will agree to the wisdom of this course of action and act promptly to appoint a new Attorney General and provide for the continuation of the Office of Special Prosecutor.

## DEATH OF THE HONORABLE FRANK SMALL, JR.

(Mrs. HOLT asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. HOLT. Mr. Speaker, it is my sad duty to advise the House of the death of a former Representative, the Honorable Frank Small, Jr., of Maryland.

## GENERAL LEAVE

Mrs. HOLT. Mr. Speaker, I ask that all Members may have 5 legislative days in which to extend their remarks in the RECORD relative to the life, character, and service of the late Honorable Frank Small, Jr.

The SPEAKER pro tempore (Mr. MAZZOLI). Is there objection to the request of the gentlewoman from Maryland?

There was no objection.

## BRINKMANSHIP IN THE MIDEAST

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. MARAZITI) is recognized for 7 minutes.

Mr. MARAZITI. Mr. Speaker, the Mideast crisis rages with constant uncertainly. This morning's news weakens us with reports that U.S. troops are on Red alert. The cease-fire is uncertain with violations on both sides.

This is not new. History is lined with evidence that cease-fires can rarely be successsfully imposed on nations at war.

What then will be the future of the U.S. role?

We are presently supplying Israel with major items of military weapons.

To date, we have already supplied over $800 million worth of material. On Tuesday, the President requested an additional $2.2 billion of military aid for Israel.

Presently, we are supplying these items on a cash-credit basis. However, buried in the President's message is the possibility of grant assistance as well.

The legislation the Executive asks us to pass gives him the authority to release Israel from its contractual obligation to pay for those defense articles and services, leaving the burden to the American taxpayer.

I do not object to the sale of arms to Israel. What I do object to is the obscure manner in which the American taxpayer may be asked to foot the bill of a war effort in which they again do not want to become involved.

Further, American military personnel are being used to ship and unload these supplies in the war zone. The distinction between a "Loadmaster" on an Air

Force cargo plane, or a "military adviser" quickly becomes lost when American lives are lost as a result of military action.

Let us not be lulled into a false sense of security that the President could not commit troops to the fight without the express consent of Congress.

I submit for the RECORD copies of the Middle East Peace and Stability Act and the Gulf of Tonkin resolution as they appear in the United States Code.

Although the Middle East Peace and Stability Act was passed some 7 years prior to the Gulf of Tonkin resolution, they are strikingly similar with respect to the President's authority to use American troops in armed intervention, if in his determination such action is necessary.

I am sure there are many in Congress who voted for the Gulf of Tonkin resolution, but would not have voted for it if they knew what hindsight tells them now. Yet, we are possibly faced with the same kind of piecemeal escalation of American men, dollars, and material to the Mideast.

The presence of American military personnel in Israel resembles the embryonic stages of our presence in the tragedy of Vietnam.

Congress, may or may not be in support of Israel. However, let the issue be decided here, in Congress by the American people.

If we have learned anything from the lessons of Vietnam, it should be that Congress must make the decision. Then, at no time in the future can it be said that the people were hoodwinked by Executive action.

It is the people, through their elected representatives, who should decide whether or not we as a nation support Israel, and if so, to what extent.

Let there be no mistake. It is we, the people, who shoulder the responsibility and pay the full price of our national commitments.

Therefore I urge the support and passage of House Resolution 607, which prevents the use of American troops in the Middle East without the express consent of Congress.

Let me further say we should let the White House and the Congress take heed of the temper of the American people and act accordingly.

Mr. Speaker, the Middle East Peace and Stability Act and the Gulf of Tonkin resolution are as follows:

CHAPTER 24A.—MIDDLE EAST PEACE AND STABILITY

Sec.

1161. Economic assistance.

1162. Military assistance; use of armed forces.

1163. United Nations Emergency Force.

1164. Report to Congress.

1165. Expiration.

SECTION 1961. ECONOMIC ASSISTANCE

The President is authorized to cooperate with and assist any nation or groups of nations in the general area of the Middle East demanding such assistance in the development of economic strength dedicated to the maintenance of national independence. Pub.L. 85–7, § 1, Mar. 9, 1957, 71 Stat. 5.

SECTION 1962. MILITARY ASSISTANCE; USE OF ARMED FORCES

The President is authorized to undertake, in the general area of the Middle East, military assistance programs with any nation or group of nations of that area desiring such assistance. Furthermore, the United States regards as vital to the national interest and world peace the preservation of the independence and integrity of the nations of the Middle East. To this end, if the President determines the necessity thereof, the United States is prepared to use armed forces to assist any such nation or group of such nations requesting assistance against armed aggression from any country controlled by international communism: *Provided*, That such employment shall be consonant with the treaty obligations of the United States and with the Constitution of the United States. Pub.L. 85–7, § 2, Mar. 9, 1957, 71 Stat. 5.

Library references: War and National Defense—46; C.J.S. War and National Defense § 61.

SECTION 1963. UNITED NATIONS EMERGENCY FORCE

The President should continue to furnish facilities and military assistance, within the provisions of applicable law and established policies, to the United Nations Emergency Force in the Middle East, with a view to maintaining the truce in that region. Pub.L. 85–7, § 4, Mar. 9, 1957, 71 Stat. 6.

Library references: International Law—10.45; C.J.S. International Law § 17.

SECTION 1964. REPORT TO CONGRESS

The President shall wherever appropriate report to the Congress his action hereunder. Pub.L. 85–7, § 5, Mar. 9, 1957, 71 Stat. 6; Pub.L. 87–195, Pt. IV, § 705, Sept. 4, 1961, 75 Stat. 463.

Library references: United States—28; C.J.S. United States. §§ 29, 30.

HISTORICAL NOTE

First Amendment. Pub.L. 87–195 substituted "whenever appropriate" for "within the months of January and July of such year."

Repeals. Section 705 of Pub.L. 87–195, which amended this section, was repealed by section 401 of Pub.L. 87–565, Pt. IV, Aug. 1, 1962, 76 Stat. 263, except in so far as section 705 affected this section.

Legislative History: For legislative history and purpose of Pub.L. 87–195, see 1961 U.S. Code Cong. and Adm.News, p. 2472.

1965. EXPIRATION

This chapter shall expire when the President shall determine that the peace and security of the nations in the general area of the Middle East are reasonably assured by international conditions created by action of the United Nations or otherwise except that it may be terminated earlier by a concurrent resolution of the two Houses of Congress. Pub.L. 85–7, § 6, Mar. 9, 1957, 71 Stat. 6.

Library references: Statutes—172; C.J.S. Statutes §§ 307, 308.

---

VI. AUTHORIZATION TO EMPLOY ARMED FORCES

MAINTENANCE OF INTERNATIONAL PEACE AND SECURITY IN SOUTHEAST ASIA

Pub. L. 88–408, Aug. 10, 1964, 78 Stat. 384, provided that:

"Whereas naval units of the Communist regime in Vietnam, in violation of the principles of the Charter of the United Nations and of international law, have deliberately and repeatedly attacked United States naval vessels lawfully present in international waters, and have thereby created a serious threat to international peace; and

"Whereas these attacks are part of a deliberate and systematic campaign of aggression that the Communist regime in North Vietnam has been waging against its neighbors and the nations joined with them in the collective defense of their freedom; and

"Whereas the United States is assisting the peoples of southeast Asia to protect their freedom and has no territorial, military or political ambitions in that area, but desires only that these peoples should be left in peace to work out their own destinies in their own way: Now, therefore, be it.

*"Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Congress approves and supports the determination of the President, as Commander in Chief, to take all necessary measures to repel any armed attack against the forces of the United States and to prevent further aggression.

"Sec. 2. The United States regards as vital to its national interest and to world peace the maintenance of international peace and security in southeast Asia. Consonant with the Constitution of the United States and the Charter of the United Nations and in accordance with its obligations under the Southeast Asia Collective Defense Treaty, the United States is, therefore, prepared, as the President determines, to take all necessary steps, including the use of armed force, to assist any member or protocol state of the Southeast Asia Collective Defense Treaty requesting assistance in defense of its freedom.

"Sec. 3. This resolution shall expire when the President shall determine that the peace and security of the area is reasonably assured by international conditions created by action of the United Nations or otherwise, except that it may be terminated earlier by concurrent resolution of the Congress."

Mr. GROSS. Will the gentleman yield?

Mr. MARAZITI. I yield to the gentleman from Iowa.

Mr. GROSS. Let me say to the gentleman that I was one of those who voted for the Gulf of Tonkin resolution, under the persuasion of presenting a unified front.

It is a vote that I will regret for the rest of my life.

I want to commend the gentleman for an excellent statement, and I thank the gentleman for yielding.

Mr. MARAZITI. Mr. Speaker, I thank the gentleman. Let me say, Mr. Speaker, that I was present when the gentleman from Iowa made a statement several months ago, and for that statement I will respect the gentleman for the length of my life.

---

## IMPEACHMENT

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Pennsylvania (Mr. WILLIAMS) is recognized for 15 minutes.

Mr. WILLIAMS. Mr. Speaker, President Nixon had promised Congress and the American people a full and complete investigation into the Watergate incident and its subsequent coverup. To accomplish this he appointed Elliot Richardson as Attorney General and William Ruckelshaus as Deputy Attorney General and Richardson appointed Archibald Cox as the Watergate special prosecutor. Repeatedly, the President expressed his complete confidence in the integrity and character of these men and assured them of complete independence in their investigation.

The President was ordered by the U.S. Court of Appeals to furnish Federal Judge Sirica with nine specific tapes which Watergate Special Prosecutor Cox had requested. The President attempted to offer a compromise but Cox rejected the offer. The President then ordered Richardson to discharge Cox but Richardson resigned rather than do so. When Ruckelshaus refused to fire Cox, his resignation was also accepted. This made the third man, Robert Bork, the Acting Attorney General, and he did fire Cox.

These resignations and firing represent a 180-degree turn in the President's commitment to the Congress and the American people. The President's actions during the weekend of October 19 turned many American people against him. When the House reconvened on October 23, a number of impeachment resolutions were offered by many Congressmen. I indicated my willingness to participate in the debate of possible impeachment proceedings but I made it clear that I would oppose all impeachment efforts until the House and Senate had confirmed GERALD FORD as Vice President. I know, from working closely with FORD for 7 years, that he is an outstanding leader.

Yet, during the afternoon of October 23, 1973, Nixon announced that he would surrender the nine tapes to Judge Sirica. This is exactly what the President could have done a week earlier, thereby avoiding the loss of confidence of many American people and avoiding the resignations and the firing. The releasing of the tapes does decrease the possibility of impeachment as it removes the possibility of the President being held in contempt of court. The investigation of Watergate, which was a product of the Committee To Reelect the President and which had absolutely no connection with the Republican Party, must be completed in a thorough and impartial manner.

WAR IN THE MIDDLE EAST

On the holiest day of the Jewish year, Yom Kippur, the Day of Atonement, Arab armies from Egypt and Syria made a sneak attack on Israel to open a new Mideast war. The Israeli Armed Forces have withstood the onslaught and have advanced into Syria and Egypt, but have suffered frightening losses. The Soviet Communists had given the Arab allies military equipment more sophisticated than that given the North Vietnamese to use against us. Three days after the fighting began, the Soviets started an airlift of military supplies for the Arabs. This airlift grew to massive proportions, yet Soviet Prime Minister Kosygin arrived in Cairo around October 16 to arrange a cease-fire with Egypt, Syria, and Israel.

The Arab intent was clearly the annihilation of the state of Israel. The United States began to supply Israel with replacement aircraft and established an American airlift in an effort to resupply the Israelis.

A cease-fire was agreed upon and supported by Russia and the United States. The cease-fire was broken but will undoubtedly be reestablished. The President has asked Congress to authorize assistance of $2.2 billion for Israel because the magnitude of the current conflict has far exceeded Israel's economic capacity to continue with cash and credit purchases. I am ready to support this appropriation, but I would not support the commitment of American forces in the Mid-East since the Israelis are capable of defending themselves.

I joined in a telegram to President Nixon concerning the cease-fire which said in part:

When the cease-fire does come, the United States must use all of its resources to get Egypt, Syria and Jordan to agree to direct negotiations with Israel.

SOCIAL SECURITY INCREASE

I have requested the acting chairman of the House Ways and Means Committee to accept a 7-percent increase in social security benefits to take effect January 1, 1974, rather than the 5.9 percent increase which was supposed to go into effect June 1, 1974. The Senate Finance Committee has already added this proposal to H.R. 3153, previously passed by the House, which makes technical amendments to the supplemental security income program. All the House conferees on H.R. 3153 have to do to put this increased benefit into effect on January 1, 1974, is accept the Senate provision during the conference.

My action is in response to the spiraling increases in the cost of living which have severely hurt 30 million Americans who live on fixed incomes from their social security benefits. Inflation has seriously eroded the value of the dollar. Food prices have soared 20 percent in this year alone, and food accounts for 27 percent of the average older American's budget. The September wholesale price index showed a slight decrease indicating that inflation in the United States has started to level out.

The estimated cost of a 7-percent increase in January would be $1.6 billion in the current fiscal year. This would raise the average benefit to an older couple to just under $300 per month. We must act now to provide our senior citizens a sufficient income so that they can live in dignity. Anything less than this 7-percent increase would clearly be too little and too late.

OUR FEDERAL BUDGET

In fiscal year 1973 the Democratic-controlled Congress ran up a budget deficit of $14.4 billion. On October 18, Treasury Secretary George Shultz testified before the House Ways and Means Committee that in this fiscal year, fiscal year 1974, the President's budget requests will lead to a balanced budget at a spending level of $270 billion. However, there are 19 standing legislative committees in the House, all Democratic controlled, and all authorizing expenditures.

For this reason, I am working to win consideration of my bill to control expenditures. Earlier this year I again cosponsored legislation to establish a Joint Congressional Committee on the Budget, which would establish a spending ceiling, make certain that Federal revenues would cover this ceiling and then make certain that spending was kept within the ceiling. Our annual interest payment on the money we owe will be approximately $40 billion in this fiscal year. Even though the budget shows that we owe $462 billion, we have also borrowed from our numerous trust funds, such as $55 billion from the social security trust fund and $7 billion from the highway trust fund, and these are not included in the $462 billion figure.

URBAN MASS TRANSPORTATION ACT

On October 3, 1973, with my help, the House passed the Urban Mass Transportation Act, H.R. 6452. This bill extends the Urban Mass Transportation Act of 1964 by authorizing $400 million over the next 2 fiscal years for operating subsidies for urban mass transit, and increases the portion of capital cost funded by Federal grants.

This year alone Federal capital improvement grants for mass transit will reach $870 million, from funds authorized under the Federal Highway Aid Act of 1973, S. 502, which was passed with my help in April 1973. These grants are necessary since various links of the Interstate System running through centers of urban areas have drawn people away from mass transit and into their automobiles. S. 502 includes half fare for the elderly and the handicapped.

Mass transit must be improved in order to avoid choking our metropolitan areas with automobiles and diminish air pollution. With the capital improvement grants authorized by S. 502, and with operating subsidies to keep mass transit lines in operation until they can be improved, every metropolitan area should be able to take advantage of these two programs.

I will continue to support Federal subsidies to urban mass transit systems until they can make the necessary improvements. Then the operating subsidy should be used only long enough to attract people to use the mass transit systems. Once this happens, I am confident that additional Federal subsidy will not be necessary as urban mass transit systems become self-supporting. In fact, Red Arrow operated at a profit until it was taken over by SEPTA.

## TODAY'S COLLEGE-BOUND VETERAN

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. WALSH) is recognized for 15 minutes.

Mr. WALSH. Mr. Speaker, today's college-bound veteran is faced with an extremely difficult problem. Often, the college of his choice is an expensive one in terms of both tuition and living costs.

The single veteran receives less than $2,000 for the expenses he incurs at an institution of higher learning. More often than not, this barely covers the cost of living, let alone tuition.

Studies show that the average cost of tuition across the country in public institutions for a school year is $419. Some 40 percent of all veterans pay more than

this amount, leaving less than $1,500 for living expenses.

I am, today, introducing legislation which will help alleviate this situation and assist in permitting our veterans a wider choice of a college or university, and make it possible for him to make ends meet at the same time.

My proposal is simple: Pay the veteran, in addition to his regular educational benefits, any tuition cost for the school year that exceeds $419. No payment, however, would exceed $600. In other words, the veteran would receive the difference between $419 and his actual tuition cost, but not more than $600.

Mr. Speaker, the cost of education, like everything else today, is spiraling upward. The unemployment rate for veterans is inordinately high, but a proper education will help alleviate this. But only if the veteran can afford to attend a college he chooses.

The veteran has made a major contribution to his country. He has risked his life for low pay over a period of years. The benefits he receives following separation from the service were earned many times over. They are well deserved.

Recent studies have shown that veterans who must pay more than the national average are receiving benefits that are less generous than their World War II counterparts. With cost of living increases and spiraling tuition rates, the disparity becomes more pronounced as time goes forward.

A recent Washington Post editorial backing my proposal said it was a step "clearly in the right direction." The editorial also pointed out the disparities between World War II and current GI bill benefits.

Mr. Speaker, I feel this proposal is the very least we can do for those who have served well and want very much to make a worthwhile contribution to a better way of life for this great Nation. Many of my colleagues have already indicated support for this measure and I urge the entire membership of the House to push for the speedy enactment of this legislation.

## A TRIBUTE TO SPEAKER ALBERT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oklahoma (Mr. McSPADDEN) is recognized for 5 minutes.

Mr. McSPADDEN. Mr. Speaker, I rise today to point out that, after this period of domestic agony has passed, and it will pass, and this Republic, comprised of the 50 United States, survive, as it shall survive, history will record the part one man played in saving this Republic.

History will record that, had this man been less trained, less talented, less intelligent, less experienced, or less regarded by his colleagues and the other two branches of the Federal Government: I respectfully submit that had this man been more power hungry, or had his own personal regard placed in a tier of values well below his love, devotion and concern for our Nation and its people, the year 1973 would be written as the year of the greatest civil discord since 1865.

President Andrew Johnson was the only President of the 37 who faced impeachment trial. The impeachment of the President, over a century ago, failed by the vote of one man, Senator Edmund G. Ross of Kansas. That one vote, one vote less than the two-thirds required, preserved the integrity of the Presidency, and the separation of powers, the very keystone of our democracy. The question is relevant then as it is now. Mr. Speaker, I would submit that the person to whom I refer will take a like spot in our Nation's history.

Had my longtime friend and colleague, the Congressman from the Third District of Oklahoma not been encouraged as he strived for an elementary education at Bug Tussle, had he not been nurtured and trained at McAlester High School and the University of Oklahoma, where he was described by the president of that great university as the most excellent student in its existence, history might have been changed.

Had he not combined great drive for excellency at Oxford University as a Rhodes scholar, all of whom must be all-around men of high character and superior scholarship; had he not served his country honorably and well during World War II and been elected to the 80th Congress, history might have been changed.

Mr. Speaker, I submit that if the little giant from Little Dixie had not served the people of his district with diligence and ability so as to be reelected to each successive Congress and had he not risen to more and more positions of responsibility and leadership within the Congress, history might have been changed.

The wisdom, leadership, judgment, and practical application of what we at home call "Oklahoma horse sense" of the honorable CARL ALBERT has been clearly demonstrated over the years, the past few days, and more specifically, since that day when the Nation found itself without a Vice President. As Speaker of the House, he, under the Constitution, was a heartbeat from the highest office in the land; a position I am sure he did not cherish and one I do not envy.

The historians, some day will record much of "today" as history and I would submit, Mr. Speaker, had the Speaker of the House of Representatives been a person other than CARL ALBERT, the history they will record could have been far from the history they will record. His leadership after the events of this past weekend has had an everlasting action on the pages of history.

In closing, Mr. Speaker, I would submit that this country, this great, viable, thriving, struggling, still young, and growing Nation, and future generations, owe a great debt of gratitude, unrepayable, to CARL ALBERT for being the man he has become.

## CONGRESSMAN JIM WRIGHT SPEAKS ON HOUSING CRISIS IN UNITED STATES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. GONZALEZ) is recognized for 5 minutes.

Mr. GONZALEZ. Mr. Speaker, as a member of the Housing Subcommittee I have been decrying the plight of the many Americans who find that they can no longer afford to purchase a home. I would like to take this opportunity to insert in the RECORD a most perceptive speech made on this subject by my most distinguished colleague, the Honorable JIM WRIGHT, when he spoke to the Texas Association of Home Builders in Fort Worth last week.

HOW TO GET THE HOUSING PROGRAM OFF THE GROUND—AND PRICES BACK TO EARTH

(Remarks of Congressman JIM WRIGHT)

Last Saturday, October 13—one week ago today—marked the 160th anniversary of the laying of the cornerstone for the White House . . . a memorable occasion in the history of our nation.

Thirty-one days ago, President Nixon submitted to the Congress a message on housing.

My personal conviction is that we are fortunate to have already built the White House. If we had to start from scratch today, it would be infinitely more difficult!

If that seems glib and facetious, I don't really intend it to be. Those of you who know me are probably aware that I am not in the habit of summarily condemning an idea, message, or plan, merely because I disagree with a portion of it.

Nor do I propose to do so with the President's analysis of our current housing needs. There are several features of his message which warrant early and favorable response.

My overall reaction, however, is one of disappointment, for the President suggested nothing really new—certainly nothing which will quickly and effectively ease the increasing dilemma of trying to provide homes for America's families at prices they can afford.

There is nothing inherently wrong with the basic Housing Programs we presently have on the books, despite suggestions to the contrary. The failure of recent years has not been with the law, but with its implementation.

In 1934 a concerned Congress revitalized the theretofore piratical mortgage market by introducing the federally guaranteed amortized mortgage, requiring only small down payments and permitting up to 30 or 40 years for complete maturity. Regulated low interest rates made it possible for people to buy homes they could afford.

There was a lot of resistance to that proposition originally, but the proof of the pudding is in the eating. The conventional mortgage market soon fell in line with virtually the same type of financing, and everyone found that it worked.

In just one generation, it literally transformed this country from a nation of renters into a nation of home-owners. In 1934, only about 30% of the American people could ever really hope to own the houses they lived in. By the late 1950's, 70% were buying homes.

I mention this recent history because there are younger people here tonight who may not know that, at one time, the average first mortgage on a home ran 5–8 years. And required down payments were so high that a second mortgage business flourished throughout the country, making 30–40% of the required down payments available.

That's what prompted all those old melodramas depicting a heartless lender with a high hat and long moustache leering at the widow and suggesting things more dire than foreclosure.

In 1937, because Congress recognized that there was no way the building industry could house the itinerant or the truly poor, the

Housing Act of that year paved the way for Public Housing.

There arose a great furor against that law, too, and there still is a lot of objection to it.

"Why," the question goes, "should we who pay taxes help house those who don't?"

There are many answers to that question. Fundamentally, the answer is this:

Shelter is one of the three necessities of life. A humane people will no more condemn some of its members to suffer inadequate shelter than it would will them to go without sufficient food or clothing.

In a nation as wealthy as ours, every family should be entitled to certain minimum privileges, including a decent palce to live.

Pride in one's family surroundings is the starting place of good citizenship. Slums breed not only crime, but despair, alienation, and hostility toward society itself.

There are mothers in Washington, D.C. who stuff cotton in their children's ears at night to keep out cockroaches—and this environment is not exactly a seed bed for constructive citizenship.

It costs the average taxpayer something like $5 a year for the Housing Subsidy program, to provide decent shelter for this unfortunate segment of our own people.

You and I probably spent that much on this meal tonight.

Now those two laws, with subsequent amendments, are the only ones which control the financing and construction of American housing. They have remained on the books all these years and have made possible all the good things Mr. Nixon enumerated in his message. Permit me to quote briefly from the first page of that document. The President said:

"The housing record of recent decades should be a source of pride for all Americans. For example, the proportion of our people who live in substandard housing dropped from 43% in 1940 to only 7% in 1970. During the same period, the proportion of Americans living in houses with more than one person per room dropped from 20% to 8% and the proportion of our housing considered dilapidated fell from over 18% to less than 5%."

One vital point which the President neglected to mention—and perhaps did not think about—is that, during most of these years of dramatic progress, the cost of housing—while increasing—was consuming a steadily decreasing percentage of the average family's income. That's why homebuilding flourished, and why the industry prospered.

And that fact, when you get right down to it, is the basic reason for the decline in new home starts.

Closely related—at the very heart of the matter—is the fact that those very solid accomplishments of the nation and of the homebuilding industry to which the President called attention were chalked up during a 30 year period in which the average interest rate on home loans was between 5 and 6%.

This year we have seen the emergence of 10% loans—and a substantial decline in housing activity.

In my opinion, the principal deficiency of present administration policy is its failure to come to grips with the one truly profound illness affecting the housing market today—the cost of money.

In many markets, the young family trying to buy a $25,000 home—certainly not a mansion by present standards—must agree to pay over the period of amortization approximately $75,000.

You and I know that they simply cannot afford it, And an increasing number of *them* know it.

To expect them to pay three times the value of the property—simply for the privilege of borrowing—is, in a word, unconscionable.

The President recommended that we get all "anachronistic" usury laws raised where they exist and have Congress knock the roof off insured home loan interest rates. To a large degree, this has been done.

As a temporary alleviant, this should get more money available for home loans in the short range future. But for the long run, it can only be historically retrogressive, socially repressive and counter-productive.

The biggest single obstacle to new housing is the upward spiral of the interest rate, which has risen almost 65% just since the beginning of this year.

A like rise in the cost of almost any other vital necessity would have caused riots in the streets.

The approach by the Administration to this problem is not unlike that of a hopeless City Council deciding that, since they cannot afford the cost of eliminating crime, perhaps they ought to legalize crime.

I submit that it does no good simply to make it easier for people to get into debt if in the process we make it almost impossible for them ever to get out of debt.

It seems to me that what is really needed throughout the entire economy—and the only thing that will provide any lasting relief to our housing problems—would be a concerted plan, administered across the board by every agency of government, to bring about a gradual and systematic reduction in interest rates at the pace of approximately one-half of a percentage point every six months until the prime rate returns to six percent or less.

There are numerous palliatives that can provide some measure of help. For one thing, we recently increased the money for forest development roads in the highway bill to increase the supply of lumber. For another, Congress is attempting to curb the massive deportation of logs to Japan which has decreased the domstic supplies and increased prices.

The President has made several suggestions to increase the supply of housing money: tax credits, forward commitments, cash payments to low income tenants. Each of these may help to some degree, but none of them is especially new.

We've had Sections 235 and 236 to help house the low and modest income families. We've seen a measure of success in Section 23 which provides Leased Housing.

Each of these programs was decent and humane in concept. Each has suffered in some degree from greed on the one hand and poor management on the other.

All of us have heard the horror stories about tenants and occupants—even owners—who abuse, mutilate, demolish and ultimately abandon some of these projects which our tax dollars have made possible. I have seen a few such examples. They don't do much for your faith in human nature.

Fortunately, they represent an almost miniscule percentage of the whole. But they get wide publicity. And they leave the taxpayer understandably outraged.

Fortunately, most Americans—when given a chance—will rise to the occasion. And that is what has made the nation great.

There is one experimental program which never has really gotten off the ground because it has never received a very high planning priority, but it in my opinion contains the greatest potential promise of all for America's low income families.

This is the low rent program which allows a family to qualify for eventual ownership by its own demonstration of responsible occupancy. If all payments are duly met and the property truly well maintained for a period of two or three years, the family is allowed to convert the rent it already has paid into a downpayment, convert future monthly payments into amortization and equity and ultimately to own the unit.

I don't know much about homebuilding. But I think I know something about the public. And this is the kind of subsidized housing the public will willingly support.

If I were the President—or the Secretary of HUD—this is the kind of program I'd be pushing with all the strength of that office.

For the rest of it . . .

Rather than an abandonment of existihg laws, even if only in name, what the nation needs is more money for housing at rates people can afford.

Here, for what its's worth, is a thought:

Why couldn't some new source of mortgage money be devised which would permit the very people who keep the mills and the factories running—the "middle Americans" who work and pay taxes and send kids to school and try to set aside a modicum of security for old age—to enjoy a home in peace rather than in anger and frustration?

Why could it not be arranged that all American business—foreign and domestic—be required to divert a very small portion of their overall profits to a centralized mortgage fund?

Such a diversion would not exactly constitute a tax, because a return would be made on it.

Suppose that the amount of the profit for a given corporation, be it computed at 1% or 1/10%, were channeled through some agency to a local bank or savings and loan at a charge of say 3%. Possibly a mortgage could be made at 6%.

Now it is true that a car manufacturer, for example, might not enjoy on that diversion the interest he could otherwise make; but, on the other hand, it might make it possible for a lot of mortgagors to keep trading for that manufacturer's cars for the life of their mortgages.

I am neither a sage, an Olympian prophet, nor an accountant. I'm not even certain that what I've just suggested makes economic sense. But it is, at least, an idea.

I do know this:

That a homeowner is a taxpayer, a contributor, a citizen with a vested stake in the future of this country;

That the expansion of home ownership produces the best possible base for national stability;

That a nation of homeowners is a nation best equipped to survive the vicissitudes of economic and social upheaval;

That a decent home for every American at a price he can afford is a dream worth pursuing and a goal not impossible of fulfillment;

And that American capitalism has introduced something entirely new in the history of mankind—the very real possibility of the humblest citizen's becoming a capitalist himself, owning a piece of property however modest, and getting at least a piece of the action. That, to me, is what America is all about.

You as homebuilders have a stake in all of this, and an indispensable role to perform in bringing it to pass.

---

## INTERNATIONAL MONETARY REFORM AND FLOATING RATES: WHY NOT LEAVE WELL ENOUGH ALONE?

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Wisconsin (Mr. REUSS) is recognized for 60 minutes.

Mr. REUSS. Mr. Speaker, August 15, 1971, was one of the better days in American economic history.

The administration, finally realizing that self-imposed stagnation in the domestic economy was not the way to fight inflation, ordered across-the-board

price-wage controls. Realizing also that it was the fixed exchange rates of Bretton Woods which had produced the international crisis of the dollar, the administration closed the gold window, and permitted the dollar to float.

Both actions—the freeze and the float—worked excellently well.

Inflation was held under control during phase I and phase II. Then, last January, the administration abandoned effective price controls, and the indexes shot upward. We still have not gotten control of inflation.

This retrogression on the domestic front is now being duplicated on the international front. The world's money masters at Nairobi last month resolved to sink the float and to go back to "stable but adjustable" rates—the very system which got us into trouble in the first place.

WHY THE WORLD FLOATED

After a 4-month float for the dollar, exchange rates were fixed again at the Smithsonian Institution in December 1971.

The Smithsonian agreement, however, proved not to be durable, and began to fray in the summer of 1972. It was finally abandoned in February 1973, when massive international flows of liquid capital exceeded the willingness of central bankers to defend the Smithsonian rates. Another realinement was proposed in February 1973. But by the end of the month this schedule of exchange rates had also proved untenable. After being closed for a period, exchange markets were reopened in March. A number of major currencies, including the U.S. dollar and the Japanese yen, were allowed to float. A group of European nations decided to attempt a joint float of their currencies against the rest of the world.

Prior to the institution of the float in March 1973, there had been widespread calls for international monetary reform. Our congressional Joint Subcommittee on International Economics repeatedly joined in that call for reform.

We had seen the old Bretton Woods system of "fixed but adjustable" exchange rates bring about crisis after crisis. All through the 1960's, the dollar had progressively become more overvalued. The United States was able to over-import from abroad, over-invest abroad, over-travel abroad, and over-militarize abroad. Foreign countries were able vastly to increase their imports to this country.

But we finally began to realize that our over-valued dollar had caused us to run into short-term debt overseas to the tune of around $100 billion. And our trading partners suddenly realized that they were working like dogs in order to give Americans discount prices. Fixed rates were the cause of these miseries.

THE COMMITTEE OF 20 BEGINS

The demand for reform finally bore fruit. In July 1972, the IMF established the Committee of 20, representing all its members, to negotiate the reform of the international monetary system. Chief on the list of reforms was to move away from the Bretton Woods system of "stable but adjustable" rates.

Then, right in the midst of the Committee of 20's deliberations, came the involuntary float of March 1973. De facto, and in contravention of the spirit and letter of Bretton Woods, the international monetary system had reformed itself. To be sure, a little tidying up might be necessary. Perhaps the language of Bretton Woods should be altered to conform to the post-March 1973, float. And some sort of agreed rule for when nations might intervene to affect the exchange rate of their currencies should be adopted.

But the Committee of 20, and the world's monetary authorities, with a momentum all their own, have for the last 7 months kept drawing up detailed plans for "reform", with all the passion for mechanical perfection of the drafters of the Weimar Constitution.

Meanwhile, the reformed international monetary system has been performing rather well.

While the 7 months since last March have not provided a sufficiently long period from which to draw definitive conclusions about the success of floating exchange rates, they come off well when we consider the relevant questions: First, have floating exchange rates weathered the political and economic storms of recent months? Second, have world trade and world investment prospered under floating exchange rates?

The answer to both questions is yes.

WEATHERING THE STORM

Exchange markets were calm, and day-to-day changes in rates small, until May, when the potential economic implications of the Watergate and the possibility of a prolonged impeachment battle shook confidence in the dollar, and when the true dimensions of the rate of inflation in the United States came to be recognized worldwide. Naturally, the value of the dollar began to slip, and did not stop falling on the exchanges until, by July, it had tumbled a significant amount.

Was this reaction irrational, and are the central bankers and finance ministers who denigrate floating rates wise prophets of economic events in whom we can confidently trust? I believe that the market's reaction was rational. Its post-July recovery is due not so much to central bank intervention in New York and overseas, but rather to the strengthening U.S. trade balance, to a seemingly decreased likelihood for a time that the President would be impeached, to a lifting of our embargo on exports of soybean and protein feeds, to a rising trend of U.S. interest rates, and to a simultaneous decline of German interest rates.

Thus, if exchange rates have fluctuated in the period since May 1973, it is only because underlying economic and political forces have fluctuated. Events that could have caused severe crises under "fixed but adjustable" rates were readily digested.

EXPANDING TRADE AND INVESTMENT

Now let us ask how well floating rates have served the goals of international economics—expanding international trade and investment?

As the Governor of Italy's central bank, Guido Carli, noted in his Nairobi speech, notwithstanding the difficulties arising from exchange rate flexibility, "world trade has continued to expand at a record rate."

The latest IMF annual report notes that, due to reduced economic growth rates in several major industrial countries, including the United States, total world trade grew in 1971 at a rate of 5.7 percent, as contrasted with the annual average for 1960 through 1970 of 8.3 percent. But in 1972 the growth rate of world trade returned to 8.2 percent, virtually the same as the long-term trend. In 1973, when the most serious adverse effects from closed exchange markets and the horror of fluctuating rates might have been anticipated, the IMF annual report says:

> Imports into the industrial countries as a group continued to accelerate in the first several months of 1973, notwithstanding the fact that this was a period of marked deceleration . . . in the growth of imports into the largest importing country, the United States. In volume terms, world trade the first half of 1973 is estimated to have been about 12 percent higher than in the same period of 1972.

In other words, during the first half of 1973, world trade expanded at an annual rate that had not been equalled since 1968.

What about investments?

U.S. direct investment abroad expanded substantially during the first half of 1973. In fact, the total for the first half exceeded that for all of 1972. Probably U.S. direct investment overseas was reflecting increased domestic corporate earnings, and brisk rates of economic expansion abroad, and had not yet fully taken into account the impact of exchange rate changes.

More interestingly, however, foreign direct investment in the United States during the first half of 1973 also exceeded the totals for all of 1972. During the second quarter of this year, foreign direct investment in the United States recorded the largest quarterly inflow since the first 3 months of 1970. Moreover, foreigners made net sales of U.S. equities this year only in the month of May. Thus the decline in the dollar under fluctuating exchange rates hardly seems to have had the expected result of frightening foreigners away from investment in the United States.

WE CANNOT STAND SUCCESS

Thus, floating rates have survived the tempests. They have lubricated a great expansion of world trade and investment.

And for their success, they are about to be abandoned by the world's money doctors.

At this year's IMF meeting in Nairobi, the Chairman and Vice Chairman of the Committee of 20 presented their first outline of reform. This outline reflects their view on the stage reached in the committee's discussions; it does not carry the formal endorsement of the committee. The outline states:

> The exchange rate mechanism will remain based on stable but adjustable par values, and countries should not make inappropriate par value changes . . . Countries may adopt floating rates in particular situations, subject to Fund authorization, surveillance, and review.

BACK TO METHUSELAH

What does the phrase "stable but adjustable par values" mean? From the discussions and speeches I heard at Nairobi, it means nothing less than a return to fixed exchange rates:

The new managing director of the International Monetary Fund, H. Johannes Witteveen, set the tone for the attack on floating rates:

We may draw some lessons from our recent experience with floating exchange rates. The experience has shown that, while the rigidity of rates in the old system must be avoided, free-floating offers no panacea for the problems confronting us in the exchange field. Understandably, exchange rates do not always take sufficient account of the lags involved in the effects of exchange rate adjustments on international trade. As the initial effects of changes in rates will usually be small, or even perverse, such changes cannot immediately restore an equilibrium position. Markets may become disappointed with the apparent failure of the balance of payments to adjust, and as a result, may allow currencies to appreciate or depreciate beyond the point needed to achieve equilibrium in the medium term. Also, as we have recently seen, market psychology can be sharply affected by a variety of special and temporary influences, both economic and non-economic.

Freely floating rates cannot, therefore, be relied upon to reflect underlying payments trends and thus to achieve appropriate currency relationships. . . .

Recent experience has shown the advisability of using intervention to prevent disorderly market conditions and excessive deviation from exchange rates considered to be appropriate in the medium term. For this reason, I welcome the resumption of intervention by central banks since July. I hope this will prove to be a first step in a gradual move toward a situation in which intervention is more widely used to stabilize exchange rates and to support an appropriate and internationally agreed set of currency values.

POOR-MOUTHING THE FLOAT

Similarly, the French Minister of Economy and Finance, Valery Giscard D'Estaing, said:

The only good thing one can say about present practices is that they are providing their own proof that they do not work. Currency floats do not contain inflation, nor do they ensure correct market rates. This has been demonstrated beyond a shadow of a doubt . . . The idea of fixed and adjustable par values now appears to have gained wide acceptance . . . But it is also necessary that currency floats be authorized only on an exceptional and temporary basis.

The Belgian Deputy Prime Minister and Minister of Finance, Willy de Clerq, said:

If the right to float were to be generally recognized in the new system without any limitation being applied, as regards either duration or the nature of the exceptional circumstances deemed to warrant it the very principle of "fixed but adjustable exchange rates" would become devoid of meaning. . . . Floating exchange rates seem to us to be a very poor reflection of the fundamental equilibria . . . The same applies in the case of over-frequent parity changes.

The Netherlands Minister of Finance, W. F. Duisenberg, said:

We are, I believe, entitled to draw the conclusion that the exchange market alone isn't capable of establishing an orderly system of exchange rates. The market stands in need of clear guidelines if it is to achieve this goal; official intervention to keep exchange rates within agreed margins is essential. . . . The dangers inherent in the present world monetary situation make it necessary for an agreement to be reached speedily on a system of fixed exchange rates which can be adjusted in good time.

Our own Secretary of the Treasury, George Shultz, said:

There is full acceptance of the idea that the center of gravity of the exchange rate system will be a regime of "stable but adjustable par values," with adequately wide margins and with floating "in particular situations". . . . It would be a fundamental error to mistake the present arrangments for monetary reform.

In Nairobi, four explicit criticisms were leveled against the fluctuating exchange rate regime: First—private parties dealing in exchange markets were asserted to have a short-range view, to overlook medium and long-run fundamental economic trends, and therefore, to cause excessive short-term fluctuations in exchange rates. Second—floating exchange rates were claimed to be subject to large fluctuations induced by massive speculative international transfers of liquid assets. Third—floating exchange rates were said to be unable to contain inflation, or to prevent the transfer of inflationary pressures from one country to another. Fourth—floating rates would prompt countries to resort to competitive devaluations during periods of high domestic unemployment.

I shall address these criticisms in turn.

IS THE MARKET SHORTSIGHTED?

Is the economic outlook of private exchange dealers and international traders and investors more shortsighted than that of monetary officials, and can the officials determine appropriate exchange rates more accurately than private parties? If the dollar fell to unreasonably low levels during the period from mid-May through the third week of July and consequently became undervalued, a self-correcting recovery has since set in.

The decline resulted largely from the daily revelations of the Watergate hearings, from rampant inflation in the United States, and from the absence of proper harmonization between United States and German monetary policies.

Could monetary officials confidently assert in May and June that political uncertainties in the United States would be resolved, and that the economic consequences of these uncertainties would be trivial?

The ultimate outcome of this investigation, and its economic consequences, are still in doubt. Only through the most gratuitous type of Monday-morning quarterbacking can monetary officials assert that they had a deeper understanding of political events in the United States than did the exchange dealers.

I am not asserting that monetary authorities should be prohibited from intervening in exchange markets, or that such intervention is invariably harmful. On the contrary, at times, most recently in July, central bank intervention was beneficial to help make a market for the dollar and to strengthen the confidence of those exchange dealers who were willing to take positions in dollars. After all, one cannot expect exchange dealers, traders, and investors to adapt overnight to a fluctuating exchange rate regime after fixed parities had been the norm from 1958 to 1971.

What I do challenge is the assertion that monetary authorities have a more accurate view than the market of what are appropriate exchange rates in the light of fundamental economic trends. After all, it was the monetary authorities who brought us the disequilibria of the 1960's and early 1970's, the abortive Smithsonian agreement, and the short-lived February 1973 realinement. Their past record has not been such as to give one confidence in their omniscience, or to continue them as the arbiters of the exchange rate structure.

THE IMPACT OF SPECULATIVE CAPITAL FLOWS

The second criticism of fluctuating exchange rates was that they change in response to large international transfers of liquid assets, frequently referred to loosely as speculative capital flows. The observation is certainly correct that under a regime of floating rates, the actual prices at which currencies trade in exchange markets are affected by international asset transfers, and that these rates, having been altered, have an impact on the magnitude and pattern of international trade and investment.

The only way to prevent large capital flows from having an impact on exchange rates is either to impose controls in an attempt to stifle the flows, or to counter them through official intervention in exchange markets. Controls have been shown to be ineffective when the incentives promoting international asset transfers are strong.

Similarly, the amount of official intervention needed to counter large flows has frequently been in excess of the resources that monetary institutions—for a variety of reasons—have been willing to commit to this purpose. When the dollar has been under pressure, sometimes foreign central banks have not been willing to increase their dollar reserves by the amounts that would be required to override the capital inflows. In addition, large increases in a country's reserves over a short period tend to expand its domestic monetary stock by similar amounts. Often countries have not been willing to tolerate the inflationary consequences of such large jumps in their domestic money supplies.

The critics in Nairobi overlooked some relevant considerations pertaining to large international transfers of liquid assets and their impact on exchange rates.

First, what is speculation? Speculation is defined by economists as purchasing an asset without also entering into a contract to sell that asset sometime in the future. This is also known as taking an uncovered position, and taking an uncovered position in foreign currencies or assets denominated in them is international monetary speculation. Speculation is not inherently evil, covert, underhanded, malicious, or necessarily harmful to the general public. It results from the normal desire of private individuals to employ their assets profitably, not only

in foreign currencies but also in commodities and real estate.

What nobody in Nairobi bothered to mention was that most international monetary speculation that has occurred in the 1970's has been stabilizing rather than destabilizing, tending to push exchange rates toward levels which would help to diminish payments surpluses and deficits and to reestablish a sustainable equilibrium of trade and investment flows. If most speculative transfers tended to push exchange rates away from equilibrium levels, then that speculation could be termed destabilizing. But in fact the depreciation of the dollar and the appreciation of other currencies has helped the United States to rectify its external trade position and to redress incentives that caused excessive American investment abroad and that discouraged foreign investment here.

Only under the pressure of unprecedented political uncertainties and galloping inflation in the United States did speculative transfers possibly produce a marginal undervaluation of the dollar. The extent of any such undervaluation is far from clear. In any event, the market is demonstrating its growing ability for self-correction.

Three speakers in Nairobi—Finance Minister Aichi from Japan, Bank of Italy Governor Carli, and German Finance Minister Schmidt—mentioned the beneficial effects of floating rates in helping discourage excessive international transfers of liquid assets. Under fluctuating rates, if one currency appears to be a candidate for depreciation and another a candidate for appreciation, a flow of liquid funds tends to occur from assets denominated in the former to assets valued in the latter. This flow tends to bring about the expected consequences.

But then the incentive to transfer assets internationally is also eliminated. Avoided are both the disruptive effects on international trade and investment of controls over capital flows, and the inflationary consequences of large increases in the domestic money supplies of countries attracting funds.

For this reason, Finance Minister Schmidt said, "exchange rate elasticity will have to provide the needed protection" against large movements of capital that cannot be derived from international coordination of monetary policies and administrative controls. The cost of this benefit is some short-term fluctuation in exchange rates, and the consequent effects on trade and investment. But no benefit is costless, and the economic damage resulting from massive central bank intervention in futile attempts to defend disequilibrium exchange rates is much more costly.

DO FLUCTUATING RATES CONTAIN INFLATION?

Third, it was charged that fluctuating exchange rates do not contain inflation. I have just explained how flexible rates can help prevent the large international asset transfers and consequent reserve stock and money supply bulges that, for example, proved so disastrous to German domestic monetary management over the past decade. In this regard, it could be more persuasively argued that fixed rates tended to create inflation internationally. Otmar Emminger, Deputy Governor of the German Central Bank, adopted precisely this line of argument in a lecture delivered last June.

If a nation experiences excess demand and domestic inflation, then it will tend to export less and import more. Under fixed exchange rates, this tendency to draw more resources from the rest of the world and to transmit demand pressures overseas meets no price resistance. But, under floating rates, the value of its currency would tend to deteriorate. The consequence would be to help maintain its level of real exports, to discourage the growth of imports, and so to help contain demand pressures within its own borders.

THE DANGER OF COMPETITIVE DEPRECIATION

The Minister of Finance from the Netherlands, W. F. Duisenberg, raised the issue that fluctuating rates might tempt governments to resort to competitive exchange rate depreciation during periods of high unemployment:

> Full employment is a high priority for national governments; if it were put in jeopardy, governments might conceivably resort to manipulating exchange rates for the benefit of their domestic policy, and the drawbacks of the present system of floating exchange rates would then appear fully and clearly.

Mr. Duisenberg raised a legitimate point. No exchange rate regime or international payments adjustment mechanism can work without international surveillance. If a nation is experiencing high unemployment, it would reasonably be expected to ease its domestic monetary policies. The resulting decline in interest rates could well prompt an outflow of capital and some deterioration in the value of its currency. With fluctuating exchange rates, an international body would be needed to insure that governments did not carry easy money policies beyond the point that could reasonably be expected to stimulate domestic expansion. Liberal credit availability should not be used to manipulate exchange rates and promote exports at the expense of other countries.

What this criticism overlooks, however, is that fixed rates are subject to the same fault. For years the German mark and Japanese yen were undervalued. The Governments of these countries adamantly refused to revalue these currencies or let them freely appreciate to a level that would have avoided further reserve accumulation. During these years of undervaluation, German and Japanese workers produced goods for sale in the U.S. market that American laborers otherwise would have produced. Thousands of manufacturing jobs were transferred overseas as a result of the availability of foreign plant, equipment, and labor at discount prices. Whatever the exchange rate regime, the IMF must be in a position to review the policies of governments that affect the external values of their currencies.

CONGRESS WILL NOT APPROVE RETROGRESSION

The post-March 1973, de facto reform has as its central characteristic that nations should be allowed freely to choose between floating exchange rates, which the United States has elected, and "fixed but adjustable" exchange rates, which are favored by the countries of the European Economic Community.

In contrast to other countries, the United States particularly needs floating exchange rates. The international trade of the United States is only some 9 percent of the gross national product, as opposed to some 40 percent in countries like Great Britain, France, and Germany, and even large percentages in Belgium and the Netherlands. Unlike other countries, therefore, the United States cannot rely on overall monetary and fiscal policy to alter our international payments position. The expansion or contraction in GNP required to bring about a given change in our trade balance is simply too large to make the use of overall monetary and fiscal policy feasible.

The United States must therefore depend on exchange rate adjustments to maintain an appropriate balance-of-payments position with the rest of the world. Thus, the United States cannot accept an international monetary reform which gives up the option, as a normal procedure, of letting the dollar adjust to market pressures in order to maintain a satisfactory external equilibrium. Yet the IMF's proposed "stable but adjustable" rates, apparently agreed to by the United States, would prevent our selecting floating rates as our normal regime.

It is time to speak plainly. The United States should insist on the option of floating that has already been achieved in practice. We should not be led astray by the nostalgic hankerings of others for another regime of "fixed but adjustable" rates.

It takes the U.S. Congress to approve a new international monetary system. And Congress, unless I am very much mistaken, will simply not approve a so-called "reform" which puts the United States in the box of "fixed but adjustable" rates, with floating permitted only "in particular situations." The rest of the world should be aware of this now.

LEAVE WELL ENOUGH ALONE

The United States should speedily extricate itself from the maelstrom into which it is descending. We should withdraw our endorsement of the Nairobi "fixed but adjustable" rates "reform." We should make it clear that the United States, and anyone else so minded, should have the option of floating their currency. We should do so at once, and certainly no later than at the next meeting of the Committee of 20 in January.

With the air thus cleared, the Committee of 20 can go on in a streamlinued way to meet its July 31, 1974, deadline. Questions such as SDR's, convertibility, the dollar overhang, intervention will yield easier solutions as a result of this clearing of the air. I shall discuss these questions in a second speech in a few days.

The present option to float is working. Let us leave well enough alone.

---

## STATEMENT CONCERNING H.R. 8005

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan (Mr. DIGGS) is recognized for 5 minutes.

Mr. DIGGS. Mr. Speaker, I would like to insert for the thoughtful consideration of my colleagues the statement of Anthony Mazzocchi of the Oil, Chemical, and Atomic Workers International Union on H.R. 8005, to amend the United Nations Participation Act of 1945 to halt the importation of Rhodesian chrome and restore the United States to its position as a law-abiding member of the international community. Mr. Mazzocchi's statement carefully examines the effects on American workers and the loss of jobs caused by the enactment of the Byrd amendment and the importation of Rhodesian chrome to the United States. He stresses that—

The price of employment for American workers should not be the health and safety in a clean environment, just as the price of freedom for the Black Rhodesians should not be valued in terms of cost of chrome and ferrochrome in the U.S. market. Yet Black Rhodesians and American workers have been pitted against each other in a manner not only insulting to their integrity, but to the basic and universal values of human dignity.

The text of the full statement follows:

STATEMENT OF ANTHONY MAZZOCCHI, CITIZENSHIP-LEGISLATIVE DIRECTOR, OIL, CHEMICAL, AND ATOMIC WORKERS INTERNATIONAL UNION, BEFORE THE SUBCOMMITTEE ON INTERNATIONAL ORGANIZATIONS AND MOVEMENTS, HOUSE COMMITTEE ON FOREIGN AFFAIRS, CONCERNING H.R. 8005, OCTOBER 12, 1973

On August 8, 1973 the Oil, Chemical and Atomic Workers International Union (OCAW) passed a resolution in support of the present Congressional attempt to restore economic sanctions against Rhodesia. I would like to submit the resolution to the record. It is our belief that the Byrd Amendment was a dangerous breach of an international trust vital to a responsible, interdependent world, as well as a callous blow to the struggle of the Black Rhodesians to control their own lives. We are concerned that 750 workers in the ferrochrome industry have already suffered the loss of their livlihoods due to this legislation, as may many more; furthermore, as the union representing many of Union Carbide's industries, including its domestic ferrochrome, we are particularly concerned about its hypocritical stance and dissemination of misleading information on this issue.

When Ian Smith's Rhodesian Front Party proclaimed Rhodesia's unilateral Declaration of Independence (UDI) in November 1965, rather than resorting to the all too usual military means of dealing with insurgents, Britain opted to bring the problem to the United Nations for international jurisdiction. Determining that the situation was a threat to the peace (the number of blacks killed by whites, and whites killed by blacks in Southern Africa in recent years should be proof of this threat) the Security Council, of which the U.S. is a prominent member, agreed to invoke an economic embargo against Rhodesia. Under the U.N. Participation Act of 1945, the U.S. committed itself to abide by the Charter of the U.N. If there were any doubts about the embargo's effectiveness or it seriously jeopardizing our own national security, we should have exercised our veto then. But even if these doubts did not arise until after the enactment of sanctions, the unilateral decision by the U.S. to simply selectively ignore the boycott, was a shockingly irresponsible way for a world leader to act. Doubts about an international decision should have been discussed within the international oragnization in which the decision was first made, with the intent of exploring every possible alternative action. As John Sheehan of the United Steelworkers points out in a letter to Congressman Fraser on August 8, 1972:

"If the embargo on chrome ore is to be questioned, then also the whole embargo technique should be questioned, and not just that aspect which affects the properties of two American companies holding mining deposits in Rhodesia."

Closer scrutiny of the factors underlying the Byrd proponents' arguments reveal more than just mining deposits at stake in Rhodesia. As we now know, Union Carbide also owns a rather sizable and ever expanding ferrochrome processing facility in Rhodesia on which much attention has been focused in these recent Congressional hearings. It is no surprise then that Union Carbide stressed their fears about dependence on the Soviet Union for chrome ore. One wonders if the company were to own chrome mines and ferrochrome plants in Russia whether the subject of dependence would be less of a threat and more of a profitable assurance as dependence on Rhodesia now is.

In fact, from the perspective of Union Carbide, the National Security argument was nothing less than specious. While Carbide was decrying the dangers of our dependence on the Communists for the strategically critical chromium ore, especially in time of war (although it must be noted that our 10 year involvement in S.E. Asia was conspicuously overlooked in their evaluations of "hypothetical" war needs), the company was also eargerly jumping the band wagon of detente with the Soviet Union and other Communist countries. In the June 17, 1973 *Wall Street Journal*, it was reported that Union Carbide has signed a three year, $15 million contract with the Soviet Union for the purchase of naphtha, an important petrochemical feedstock. It was also reported that Union Carbide's previous sales to the Soviet Union of such products as agricultural chemicals, processed chemicals and plastics have amounted to almost $9 million. In December 1970, the sale of more than $2 million worth of organic chemicals and other industrial materials was the result of the Corporation's exhibit, reportedly the largest American one, at Moscow's Chemistry-70 Fair. Last year, Union Carbide in Canada 75% affiliated with Union Carbide in the Unitd States, participated in a Canadian trade exposition in Peking, and this year sold some of its technology to Poland.

It is clear to us that Union Carbide has been manipulating foreign policy to its own benefit. Done at the expense of other companies in the ferrochrome industry, such action is a travesty of the concept of free trade expounded so often from the other side of the Corporation's mouth.

It is necessary, however, to understand the difficulties the ferrochrome industry has been in for the past decade. On page 23 of the report by Ms. Diane Polan at the Carnegie Endownment for International Peace, it is pointed out that:

"This industry, which recently consisted of four major and two minor producers, has been in decline since the early 1960's—*before* UDI and *before U.N.* sanction against Southern Rhodesia. It has been hard hit by imports and rising labor and power costs, as well as requirements to install costly pollution control devices to meet stiff new Federal air quality standards."

The report goes on to cite that by 1965, again before UDI, the number of companies in the U.S. producing ferrochrome dropped to six, from eleven in 1961. This, it says, was paralleled by a conspicuous increase in ferrochrome imports, including South Africa as a major contributor.

This analysis of the problems besetting the industry can be supported by a look at any of Union Carbide's Annual Reports during the latter half of the sixties. Under the sections concerning domestic ferroalloys, the constant variable of blame for difficulties in this industry went to heavy foreign imports, with a variety of other reasons contributing to the problems throughout the years, including "reduced steel operating rates, reduction of inventories by customers, and strikes at several plants." Not until 1969 was inaccessability to chrome from their Rhodesian mines mentioned as a source of difficulty. By 1971 there was again no mention of Rhodesian chrome, only of the steel industry slowdown and an all time high in ferroalloy and steel imports.

Yet we were advised that the way to save jobs was by lifting the embargo. The irony of dealing with the problem of ferroalloy imports by adding more imports has become too painfully clear for the 750 workers at the Stubenville and Brilliant, Ohio ferrochrome plants.

In May 1973 the Ferroalloys Association petitioned the U.S. Tariff Commission for relief from imports, stating that:

"Unless aid is forthcoming soon it will only be a matter of time until almost all domestic production of ferrochrome and chromium metal will cease and the bulk of our country's requirements will be supplied from and dependent on foreign production."

Mr. F. Perry Wilson, Union Carbide's Chairman of the Board, seemed to concur with this prediction when he stated in an April 4, 1973 interview with the *Wall Street Transcript:*

". . . obviously as time goes on and competition from other parts of the world gets keener . . . we will have to go where the ore is found and electrical cost is competitive . . . this suggest overseas expansion."

Moving to where the ore and "electrical cost is competitive," i.e. Rhodesia, would clearly be less of a hardship for Union Carbide than implied. For those members of OCAW whose livlihood depends on the vitality of the ferroalloys industry in the U.S., such a move could be disasterous.

The key question for our workers, of course, is if sanctions are reimposed, and Union Carbide is cut off from its Rhodesian supplies of chrome and ferrochrome, how would this affect chrome and ferrochromium related operations at the Corporation's plants in Alloy, West Virginia and Marietta, Ohio? The answer at this time can only be speculative, but we feel that the greater chance of job security lies in the reimposition of economic sanctions against Rhodesia.

According to our information, a breakdown of Union Carbide's sources of chromium ore for domestic use is 69% from Russia, 20% from Rhodesia, with the remaining 11% from other places such as Turkey. At Alloy, where 50 of our 1,200 members are included in ferrochrome products, the two chrome furnaces are relatively new and have all the required air pollution equipment. The company put considerable amounts of money into building these furnaces so as to meet the necessary pollution requirements, and it would seem foolishly wasteful to close down these operations if only 20% of its chromium source was discontinued.

At the Marietta plant where this issue concerns 300 of our 1,000 members, the Simplex chrome and Electrolytic chrome operations rely on the ferrochrome produced from the two furnaces at the same plant. While Carbide is then, apparently still depending on the Soviet Union for its chromium ore, its Rhodesian ferrochrome imports are not being used for its own ferrochromium related operations at Marietta and Alloy, but are instead directly contributing to the influx of low-cost, foreign imports with which other domestic ferrochrome and ferroalloy producers must compete. It would seem that lack of access to Rhodesian ferrochrome would only pinch the profits gained rather unfairly at other ferroalloy companies' expense.

We fear that if it is cheaper for Union Carbide to move its operations to southern Africa, as it most certainly would be, in the not too distant future the Corporation might just decide to move all of its ferrochromium related operations there also. This kind of possibility not only prophesizes the loss of scores of American workers' jobs, and the doom of the domestic ferroalloys industry, already in serious trouble, it adds a new twist to the national security argument, for then America would truly be dependent on others for another of its vital and strategic materials.

For those who might question whether or not it is really cheaper for company operation in Rhodesia, allow me to elaborate on a few facts mentioned in our resolution. Although Union Carbide claims its presence in Rhodesia provides some golden opportunities for a better life for the Blacks in Rhodesia, no amount of photographs in its Annual Reports of smiling natives standing next to an Ever-Ready Battery truck can hide the fact that the mining of chrome in Rhodesia is largely accomplished with forced labor. Almost all of the workers in these operations are black migrants. They must sign individual long term (often 12 months) work contracts. During the contract the worker cannot leave his job, he is confined to company property and company barracks. He may not leave to visit his family, and breaking this agreement constitutes a criminal act.

Mr. Ted Lockwood of the Washington Office on Africa, presented some grim African wage statistics to the Senate Subcommittee on Africa on September 12:

"In 1973 wages paid to Africans in Rhodesia were 1/11th of wages paid to Europeans . . . Gross disparities in wages based on race appear in the statistics of Union Carbide's operations in Rhodesia. In 1970 it paid its African workers $46 to $130 a month while it paid $122.50 to $750 a month to European workers. According to statistics compiled by the Rhodesian 'government,' 1971 wages for African workers in the mining industry were R $353 per year (U.S. $565 per year or $47 per month). The average for Europeans, Coloureds and Asians in the mining industry was R $4,310 per year or U.S. $7,696 per year or $641 per month. Thus in mining wages a racial disparity of 1:13 existed."

Trade unionism is practically non-existent in Rhodesia. Mr. Lockwood points out that the Industrial Conciliation Act of 1959 with subsequent amendments imposes severe conditions on the right to strike and prohibits assistance from any international trade union movement. Gatherings of 12 or more Africans require official permission and are often closely supervised or taped by the Smith regime when meetings occur. Collective bargaining is virtually impossible, while the vast majority of Africans are simply barred access to trade unions. As Mr. Lockwood logically concluded, "It is not surprising that labor costs in the Rhodesian ferrochrome industry are only 10% of the cost of production."

The chrome and ferrochrome industry is also highly subsidized by the Rhodesian government: subsidies are given in the form of cheap electricity and transportation. This kind of subsidy and the fact that there are no environmental controls in Rhodesia is more than likely what Mr. Wilson was thinking about when he talked about moving operations to where "the electrical costs are competitive."

Competition for Union Carbide and the proponents of the Byrd Amendment reeks with the most insidious aspects of the profit motive. The price of employment for American workers should not be their health and safety in a clean environment, just as the price of freedom for the Black Rhodesians should not be valued in terms of cost of chrome and ferrochrome in the U.S. market. Yet Black Rhodesia and American workers have been pitted against each other in a manner not only insulting to their integrity, but to the basic and universal values of human dignity.

The Oil, Chemical and Atomic Workers Union is not so presumptuous as to contend that H.R. 8005 will be the panacea S. 503 was claimed to be. The U.S. ferroalloys industry has for a long time been, and still is in danger for its very life; reinstatement of sanctions may not be the boost it needs, but we know that without sanctions, Rhodesia imports are certainly not the boost this industry needs. Nor can H.R. 8005 promise Rhodesian Blacks their long overdue independence, but we are sure that our compliance once again with sanctions would certainly be a more honest and effective affirmation of our support for their struggle. As H.R. 8005 would also stand as a reaffirmation of our respect for international agreements, our hope is that its passage would inspire us to vigorously search within the U.N. for all possible ways to help the Black Rhodesians break their chains of oppression.

## A RESOLUTION TO INVESTIGATE POSSIBLE GROUNDS FOR IMPEACHMENT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. THOMPSON) is recognized for 5 minutes.

Mr. THOMPSON of New Jersey. Mr. Speaker, I am today introducing, with 15 additional cosponsors, a resolution urging the Judiciary Committee to investigate possible grounds for impeachment. This brings the total number of House Members introducing this bill to 76. Recent events have demonstrated the urgency of prompt action by the committee, and I hope that a full inquiry can begin shortly.

## AGRICULTURAL RESEARCH INSTITUTE ANNUAL MEETING

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Dakota (Mr. ANDREWS) is recognized for 30 minutes.

Mr. ANDREWS of North Dakota. Mr. Speaker, the tremendous contribution of agriculture to the social and economic well-being of the Nation and the world, along with the research necessary to assure American farmers will be able to continue to make this contribution, is deserving of a great deal more attention. At the recent annual meeting of the Agricultural Research Institute in Washington, D.C., Dr. A. Richard Baldwin, vice president-executive director of research for Cargill, Inc. set the theme for the meeting with some outstanding remarks. Dr. Baldwin, who is president of ARI, discussed five major points about agricultural research and offered six suggestions on where new investments can strengthen the program.

I insert Dr. Baldwin's speech in the RECORD at this point and commend them to my colleagues:

INTRODUCTORY ADDRESS AGRICULTURAL RESEARCH INSTITUTE ANNUAL MEETING

(By Dr. A. Richard Baldwin)

The most efficient agricultural production system the world has ever seen is providing unbelievable supplies of food and fiber here in our nation. Agricultural research developed the technology which made the inputs of capital and the private enterprise system work efficiently.

Furthermore, the public and private investment in agricultural research has been so favorable that for every dollar invested there has been a return of 25 to 100 dollars. The consumer has been the main beneficiary of obtaining lower priced goods and a more reliable supply. Most of the rest of the world also has been able to feed and clothe itself better, because the knowledge gained here has been shared with them.

Yet those great contributions to the social and economic well-being of the nation and the world are not receiving their just attention! At no time within our memory has American and world agriculture come under such close scrutiny. In these times of budget cuts and fiscal awareness, we find our public and private agricultural research funds severely limited.

The challenges of meeting the burgeoning needs of our people now and in future generations must be met. So this afternoon I would like to try to clarify the problem by discussing five major points about our agricultural research. Then I'd like to offer six suggestions on where new investments can strengthen the program.

The first main point is the urgent need for more production research.

It is hard to become accustomed to talking about full agricultural output after so many years of burdensome surpluses and of subsidies for *reducing* production. Yet seemingly overnight, poor crops in many parts of the world and the affluence of Europe, Russia, Japan, and the U.S. have created unprecedented demands for our agricultural products.

Our economy depends more and more on agricultural production. Our international balance of trade in the 1972–73 crop year was highlighted by the largest positive contribution coming from agricultural products—$5.6 billion. By contrast, non-agricultural goods had a trade deficit of $9.1 billion.

So it's important to *all* of us for farmers to increase their production of crops, meat, milk and eggs at lower cost. Here's one way of gauging the need for technology to improve. During World War II we had all-out food production to feed the American population of 137 million. But that level of technology couldn't meet the demands of 210 million Americans in 1973 when we're again gearing up for high-level production. And surely the demands of the year 2000 when we have 300 million people in America cannot be met be continuing to use today's technology.

Another reason technology must improve is the limited availability of land. Too much of our good farmland disappears each year for urban development, environmental protection, conservation, recreation, and transportation. Also, much of the idle land being returned to production these days has marginal potential, and increased land by irrigation is expensive.

If it takes the production of about one-half acre to feed one person per year, think of this: there are more than 70 million new mouths to feed on this globe every year. That's as many people as we have living right now in the 24 states west of the Mississippi River. It means every 12 months the world needs the additional output of a new Iowa and Illinois together, and there is no new land like that!

The problem is getting more serious all the time. A person born in 1930 had two billion neighbors on this planet. It took two million years to reach that population. By the year 2000, that septuagenarian will have more than six billion neighbors. Three times as many people to feed in just one lifetime!

Those are reasons why agricultural research must be increasingly aggressive in developing new and more productive varieties of crops, livestock and poultry. We must solve

the difficult basic genetic problems. We must develop new and improved methods of controlling insects and other pests. We must come up with even more efficient farm equipment and management practices. We must lower the costs of irrigation and slow down erosion losses.

Furthermore, weeds, insects, and diseases do not give up. So agricultural researchers recently have used some of their limited research funds to fight Southern Corn Leaf Blight, Gibberella, and aflatoxin in Midwest corn, Encephalmalacia in Texas horses, the Citrus Black Fly in Texas groves, Newcastle disease in California poultry, the Gypsy Moth in Eastern forests, the Tussic Moth in the Pacific Northwest, the Southern Pine Beetle in Southern forests, and the Sugar Cane Stalk Borer in Florida's citrus groves. Even more of the research funds are being used to check the safety of nitrosamines in cured meats and late blight in potatoes.

Research to develop resistances to diseases and pests of crops, livestock and poultry is never ending because mutations of the diseases and pests make new problems.

Those aren't the only challenges to agricultural research. A *second* major point is that there is an urgent need for agricultural research on ways to protect and expand the quality of life.

We must continue to learn more about the essential nutritional needs of humans as well as livestock and poultry.

We must expand our knowledge of control and utilization of the byproducts of production. Solid nutrients from fields and feedlots must stay out of waterways, and farm odors must be kept out of urban areas. Proposals to recycle urban sludge and solid wastes on farmland require additional effort by agricultural scientists to study the safety of the heavy metals and pathogens that accompany the wastes.

Agricultural researchers also have taken up the vital challenge of employment and the general quality of life in the countryside, where nearly half of our population say they would really prefer to live.

In view of these vital challenges that will require tremendous efforts to solve, my *third* point is that agricultural research has the experience and capabilities for tackling these problems.

Let's look at the track record. Agricultural research led the way to more efficient production of crops, meat, milk and eggs by means of new varieties of plants and animals, improved fertilizers, irrigation, machinery, tillage and husbandry practices, better resistance to diseases and other pests, and new methods of farm management and marketing.

But it didn't stop there. Agricultural research has helped alleviate human suffering through basic discoveries related to vitamins, essential mineral elements, commercial production of penicillin, antibiotics, vaccines, viruses, genetics, artificial insemination, organ transplants, and control of anemias and diseases.

The environmental protection movement first surfaced in agriculture. Advances have been made in soil and water conservation, effects of air pollution, reforestation, and game management. Fundamental knowledge was acquired in economics, management, and social adjustment to technological change.

Our *fourth* point is that in spite of urgent needs for greater agricultural production, environmental enhancement, and rural development and the proven abilities to make major contributions in these areas, agricultural research is inadequately supported to meet the growing challenges of the future.

Agricultural research is such an "alphabet soup" of abbreviated agency names and multilayered organization charts that it is often difficult for the outsider to get the big picture. And it *is* a big picture! More than $1 billion a year divided about equally between public and private funding, and well over 20,000 agricultural scientists.

About 40% of the public half of agricultural research is conducted by 4,500 scientists in three agencies in the United States Department of Agriculture or USDA. Biggest is the Agricultural Research Service or the ARS, which had a budget of about $188 million in the last fiscal year. The House is considering a bill that would cut $15 million for fiscal 1974. This comes after similar cuts in the past two years which have meant closing 22 research locations, abandoning 42 lines of work, and leaving hundreds of jobs vacant after turnover. Other agencies under the USDA are the research arm of the Forest Service, which could see a $5 million cut from its previous budget of about $52 million, and the Economic Research Service or the ERS which may have $63,000 trimmed from its previous budget of $15,568,000.

About 60% of public research is done by 6,000 scientists at the state level, mainly in the 54 State Agricultural Experiment Stations known as SAES. Most are located on campuses of land-grant colleges and universities. For several years they have received about $260 million annually from nonfederal sources such as state legislatures; grants-in-aid from other agencies of government, foundations, and agribusiness; as well as donations from farmers' groups collected as a checkoff on agricultural production marketed by their members.

The federal government also contributes to state programs through a mechanism called the Hatch Act and an administrative agency called the Cooperative State Research Service or the CSRS. Hatch Act funds were about $69 million last year. Congressional debate has kept the upcoming budget on a roller coaster ride up and down. Right now a joint conference committee is recommending a $1 million increase, primarily for higher salaries.

The CSRS disburses funds for two other significant programs. One is for agricultural research in 17 colleges of predominantly Black student enrollment, which were established in the year 1890. These "1890 Colleges" received long-overdue additional research money during fiscal 1972. This coming year they may get $10,883,000—a most satisfying trend. We're delighted to have several representatives from the 1890 Colleges among our Agricultural Research Institute (ARI) membership.

Another program administered by CSRS involves four new centers for regional cooperation on rural development. Funds don't begin to match the size of the challenge, however. The four programs covering the entire United States must share $300,000 at present.

Let's take a look at private industry. Although there are no precise budget figures available, my personal feeling is that private industry generally is not much more aggressive in its half of the agricultural research investment. Inflation is causing many firms to reduce research projects that lack early profitability. Also, some companies being faced with sharply higher research costs for developing pesticides and feed additives that can meet new regulations in the fields of consumer and environmental protection, have curtailed research in these areas.

Our *fifth* observation is that one of the possible reasons for restrictive budgets is the recent public criticism of agricultural research. Public agricultural research has undergone extensive review by a select National Academy of Sciences committee. Twenty suggestions were made for improved efficiency. Many of these have been put into effect by state and federal agencies. However, negative criticism in the press apparently has created an unfavorable attitude among the public that resulted in restricted appropriations by state legislatures and Congress.

Furthermore, this negative atmosphere has discouraged the public from comprehending recent, significant changes which have occurred in agricultural research in response to the NAS suggestions. I would like to describe a few of these.

One area is administrative. Both state and federal programs have tightened up their organizations. Joint federal and state planning committees are now functioning on a regional basis. Planning and review of projects by peers has been broadened. The private sector has been invited to participate in public research planning committees.

Another area is substantial changing of research emphasis to meet new needs. For example, the SAES in six years ending last year has had to reduce its effort by 232 scientist man-years (SMY's). Nevertheless, natural resources research increased 164 (from 592 to 756 SMY's). Research on communities, people, and institutions increased 104 (443 to 547). Environmental quality research rose 171 (74 to 245). Unfortunately, those changes had to be made at the expense of such production items as research on field and horticultural crops which declined 136 (2,461 to 2,325) and livestock and poultry research which went down 110 (1,382 to 1,172).

The issue of rural development which I spoke about earlier is another important area of increased emphasis. Establishment of priorities and pooling of knowledge on a regional basis are just getting activated at the new rural development centers. They are located at Cornell University in New York state for the Northeast Region, at Iowa State University for the North Central Region, and at Oregon State University for the Western Region. In the South, a regional council is based at Mississippi State, and Tuskegee Institute in Alabama is filling the same role for the 1890 colleges.

Still another improvement has been in the area of better communications. For example, the USDA's Agricultural Research Service has moved closer to its "customers" by dividing into four regional centers at Beltsville, Maryland; New Orleans, Louisiana; Peoria, Illinois; and Berkeley, California. The national coordinating office remains here in the Washington area. The object is to work more closely with state experiment stations and other agricultural researchers on a regional basis. You'll be pleased to know that our ARI group has had representatives on all the ARS/SAES Regional planning groups.

In fact, the ARI makes a unique contribution to the general improvement in communications. Our membership has representatives from 147 organizations from among state experiment stations, federal agencies, scientific organizations, and leaders of agribusiness research. We're a lot like an agricultural research information *exchange*. We discuss priorities in meetings like this one. We commisson study panels. We cooperate with other scientific organizations such as our host—the National Academy of Sciences; plus the Board on Agricultural and Renewable Resources; the Space Applications Board; the Agricultural Research Policy Advisory Committee; the National Industry-State Agricultural Research Council; the Council for Agricultural Science and Technology; the National Agricultural Institute; and the National Agricultural Communications Board.

I think changes like these prove that agricultural research is trying to meet the needs of today and tomorrow, and that it is cognizant of suggestions made for constructive improvements.

It is in that same spirit that I approach the following six suggestions on where public and private fund-setting agencies could make appropriate increases in the agricultural research investment to generate even larger returns for consumers. We need new technology fo the years 1980, 1990, and 2000.

1. Agricultural research budgets should be made adequate to provide for inflation. Al-

most all budgets are failing to keep pace with the fact that research costs rise about 6% a year by inflation. No change in money from one year to the next actually results in less support.

2. Additional funds should be considered to provide more and/or better facilities and staffing in order to meet the ever-increasing research needs for our future agriculture. Likewise, funds for full staff operations should be provided when new facilities are built.

3. Congress could provide sufficient funds to the National Agricultural Library at Beltsville, Maryland to improve exchange of essential information required by agricultural scientists. This could be operated much like the National Library of Medicine. The agricultural library could use microfilm and computer to house the world's greatest collection of agricultural indexes, reports, periodicals, and references. Every library of land-grant universities and Colleges of 1890 should have quick electronic access to the data, instead of the current practice of every library having to try to collect everybody else's reports.

4. Current Research Information System (CRIS) needs additional funding to assure that all its project reports from public agencies are adequate, and current retrieval and distribution are complete and rapid, and a procedure be developed to include project reports from other research institutions.

5. I'd like to encourage more effective use of agricultural research results by a) more priority type planning between the researchers and the customers of research information and b) more urgency on the dissemination and application of research results. This would help avoid unwanted duplication, and direct the use of funds to the most urgent research needs of farmers, extension workers, rural communities, and agribusiness.

6. I'd like to offer one specific research project suggestion. Last year there were economic eruptions felt 'round the world when weather devastated crops on almost every continent. But so far there is no government agency, university, or private firm working to adapt the available technology of space satellites to worldwide monitoring of crop conditions. Agriculture needs this service. It is a challenge that needs attention and adequate funding either within the USDA or under the auspices of NASA.

In summary, we've discussed urgent needs for agricultural research on increased production, enhancing the environment, and rural development. Agricultural research has the experience and abilities to fulfill these needs if adequately funded. Funds have been restricted due to fiscal awareness and unfavorable public criticisms. Public agricultural research has responded to many of the NAS suggestions for improvements. Finally, we've suggested six ways in which additional funds could be profitably used.

Agricultural research is such an essential investment that we must take advantage of it.

## PROPOSAL TO RAISE DEBT CEILING

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Mr. VANIK) is recognized for 5 minutes.

(Mr. VANIK asked and was given permission to revise and extend his remarks.)

Mr. VANIK. Mr. Speaker, this morning the Committee on Ways and Means, over my protest, reported out a bill increasing the debt ceiling. It is as yet uncertain whether it will come to the floor of the House under a closed rule or an open rule. I expect to urge the Committee on Rules to give the House an opportunity to add a tax reform proposal or a social security proposal to this legislation.

I think the Members of the House are entitled to an opportunity to express themselves on these two items as a part of that legislation.

Mr. BURKE of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. VANIK. I yield to the gentleman from Massachusetts.

Mr. BURKE of Massachusetts. Mr. Speaker, I would also like to point out to the House that they have proposed to raise the debt ceiling to some $477.5 billion, an outrageous proposal at this time, and it is an outrageous proposal that cannot be justified.

Mr. Speaker, I voted against raising this debt ceiling. I pointed out that they could have gotten along with a debt ceiling of $470 billion up until January 31, 1974, or they could have at least kept it down to the limit of $475 billion. But, overnight, suddenly a request came in, and they have raised it up to the astronomical height of $477.5 billion.

This country is headed for a collision course with chaos. It is about time we did something about it. This is the only vehicle that is left with which we can do it. We can talk all we want to about the new Committee on the Joint Control of the Budget, but the only place we can act is in this debt ceiling bill.

I remember the speeches that were made on the floor of the House down through the years. I realize the country has to pay its bills, but we would not raise the debt ceiling so high as to be an incentive for the Congress and the executive branches to spend more money.

## ONEONTA—CITY OF THE HILLS

(Mr. HANLEY asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. HANLEY. Mr. Speaker, the New York State Department of Commerce's magazine recently featured the fine community of Oneonta, N.Y., and I want to share the article with my colleagues and the readers of the RECORD.

As the article clearly indicates, Oneonta is an attractive and thriving community, a center for business, commerce, and education in one of the most beautiful natural settings I have ever seen.

The article follows:

ONEONTA—CITY OF THE HILLS

"We're a big, friendly farm town, that's all," says James Lettis, an auctioneer and the Mayor of Oneonta, New York, the "City of the Hills."

George Tyler, executive manager of the Greater Oneonta Chamber of Commerce, agrees with this modest appraisal up to a point. But, he hastens to add that this Otsego County city of 16,000 on the banks of the Susquehanna River is a *growing*, friendly farm town.

This growth he attributes to a working triple-threat formula: "Industry-Education-Shopping."

Industrial growth has been phenomenal. There was practically no industry in Oneonta in 1960. Today, area firms like Miller Trailer, Inc., Astrocom Electronics, Gladding-Del-Rey, Custom Electronics, Inc., Medical Coaches, Mold-A-Matic, Oneonta Dress Company, West-Nesbitt Inc., Sheffield Chemical, and many more, find in Oneonta an ideal industrial home.

Miller is Oneonta's newest industry, having begun full-scale production in December. This subsidiary of the Ryder system today manufactures a full line of Ryder truck and trailer transportation equipment, turning out 30 truck bodies and three 40-foot platform bodies daily, while employing 260.

Astrocom in nearby Colliersville employs more than 250 in the production of about 50 varieties of headsets and microphones. A major portion of Astrocom's business is for the U.S. Government and original equipment manufacturers, and the young firm has made substantial contributions to the nation's space program.

About 100 work at Gladding-Del-Rey, a division of Gladding Corporation, producing some 20 models of mobile recreation vehicles. Hottest Gladding item is the 30-foot "Fifth Wheel," a luxury split-level apartment on wheels.

"Industrial success in Oneonta is based on two factors," notes Robert W. Moyer, president of the Otsego County Development Corporation, as well as Wilber National Bank. "Helping existing industry expand and presenting an overall picture of community cooperation and good environment that proves singularly attractive to prospective new industries."

"The key lies in Oneonta, quite simply, being a good place to live," echoes Al Sayers, president of the Greater Oneonta Chamber and vice president and general manager of the city's major radio station, WDOS.

"I can see only growth in our future," adds Mayor Lettis.

Oneonta combines all the advantages of city living with a quiet, rural atmosphere. The city is centrally located, with convenient access to the entire Northeast market, almost equidistant from Albany, Utica and Binghamton, and smack in the center of one of the State's prime dairy farming areas.

Oneonta will become even more of an economic hub when I–88, the superhighway that will connect Binghamton and Albany, becomes a reality in a few years. A section around Oneonta is expected to be complete by December of this year.

In addition, Oneonta is just 64 miles from the east-west Thruway, 71 miles from the Northway to Canada, 61 miles from the North-South Expressway, and 60 miles from Route 17, which skirts the bottom of the State nearly to New York City.

Oneonta Municipal Airport, opened in 1966, makes Oneonta accessible by air, with two flights daily into LaGuardia in New York City provided by Catskill Airways, Inc.

The city's two fine colleges, Hartwick and State University College at Oneonta, have longbuttressed Oneonta's reputation as a major educational center. In addition, four elementary, one junior high, a new high school, a parochial school and one private school provide approximately 3,700 students with a fine consolidated school system. The Board of Occupational Education Services supplies vocational training facilities for about 300 students.

Hartwick College was founded in 1928, an outgrowth of Hartwick Seminary which was established in 1797. Today, it offers 21 major areas of liberal arts study to approximately 1,600 students.

Latest addition to its modern 16-building campus on Oyaron Hill overlooking the city is a $4 million Center for the Arts, expected to be fully occupied this fall.

State University College at Oneonta, an institution of higher learning at Oneonta since 1889, offers a wide variety of educational programs and awards both graduate and undergraduate degrees. With 5,000 stu-

dents, 1,000 employees, and a budget of $15 million, Oneonta State is a dominant factor in the economic, social, educational and cultural life of the greater Oneonta area.

The third component of Oneonta's winning formula is its retail community. Shopping is unexcelled, with many excellent stores and shops servicing a trading population of some 100,000 within a 50-mile radius. Retail sales in Oneonta totaled in excess of $50 million in 1972, 46.6 percent of retail sales in all of Otsego County.

Four shopping centers spice the Oneonta retailing scene. The newest is Pyramid Mall, an enclosed climate-controlled complex of some 127,000 square feet. The others are Oneonta Plaza, West End Shopping Plaza and the Jamesway.

Oneonta abounds in greenery, with beautiful Neahwa and Wilber parks in the city, and State parks in Cooperstown and Gilbert Lake State Park in neighboring Laurens. There are three public golf courses and one private. Water sports enthusiasts can revel in nearby Goodyear and Arnold lakes, and incomparable Otsego Lake in Cooperstown.

For the spectator sportsman, the Class A Oneonta Yankees of the New York-Pennsylvania Baseball League, and the semi-pro football Oneonta Indians provide professional sport excitement. The city's two colleges provide baseball, basketball, wrestling and soccer thrills.

In 1972, Oneonta became the soccer capital of the State, when SUCO nosed out Hartwick in the NCAA torunament in a game played in Oneonta and then went from there to the finals at Edwardsville, Illinois. This interest has spilled over into the city's soccer program, with about 1,300 kids enrolled.

Quality of living is high in Oneonta, which once enjoyed considerable glory as a "Railroad Town." In fact, Oneonta, once inhabited by Algonquin and Iroquois Indians, really began to grow in 1865 when the Albany and Susquehanna Railroad, now the Delaware and Hudson, reached the city. By the early 1870's, Oneonta was a railroad center of national importance. At one time, 72 passenger trains operated in and out of Oneonta daily. The D & H roundhouse was one of the largest, and its turntable the longest, in the world. The "hump system" of switching freight cars was developed in Oneonta.

Today, the Oneonta scene is a modern and progressive one, with growing colleges, prosperous industry and a healthy and growing retail shopping base. An Urban Renewal project is well beyond the planning stage, with Federal approval having been granted for the 300,000 square foot, $5 million plus project that will alter the face, but not the vibrant personality, of the city. At present, two new buildings are under construction, seven buildings are being rehabilitated and one is being rehabilitated with an addition.

All in all, the "City of the Hills" is a city on the move!

## PUBLIC OPINION AND ITS IMPACT

(Mr. KOCH asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. KOCH. Mr. Speaker, in the 5 years that I have been a Member of Congress, I have never witnessed a more vociferous and overwhelming outpouring of emotion as the mail I have received on the subject of the impeachment of the President. In just 3 days, and my office is still reading and counting, I have received 2,195 letters and telegrams calling for the impeachment of the President and 22 letters supporting the President. Many of those writing to me are doing so for the first time and the emotions conveyed range from the deepest sadness and disillusionment to the greatest anger.

Clearly as a result of the public outcry, the President yesterday agreed to turn over the White House tapes to Judge John Sirica. If anyone doubts the effect of public opinion, the outpouring of mail over the last few days to all Members of Congress and the White House and the President's subsequent reaction must surely remove those doubts.

## TRUCKS CONTINUE TO POLLUTE

(Mr. KOCH asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. KOCH. Mr. Speaker, it has been brought to my attention through an article which appeared in the New York Times, of October 13, 1973, that the Environmental Protection Agency is either unwilling or unable to set necessary antipollution regulations for our Nation's 23 million trucks at this time. The article quotes a trucking industry representative's response in avoiding tough regulation as "the most effective coup that industry has pulled off on the Environmental Protection Agency."

Eric Stork, Deputy Assistant Administrator of the Agency, is cited in the article as predicting new regulations for trucks would be in effect by 1977 or 1978, though some officials of that Agency and apparently the trucking industry as well, are confident that such standards will not be in effect until 1980. Given the severe air quality problems of our central cities, that is an intolerable and unnecessary delay.

While there are only about one-fourth the number of trucks as cars on the road—23 million trucks to 100 million cars—a truck emits in the range of 10 times the pollutants as a car does. Though there are undoubtedly technical problems in setting the standards, it can be done. Indeed, the New York City Department of Air Resources has established tests to arrive at such standards. They are admittedly imperfect but far better than no standards.

I have written to EPA Administrator Russell Train requesting that whatever has to be done, testing or otherwise to establish antipollution norms for trucks be done now. To wait until 1980 or even 1977 would show an indifference by the Federal Government which could only be described as gross negligence. The Commissioner of the Department of Air Resources of New York City, Fred C. Hart, has told me that with current schedules of antipollution device implementation for cars, trucks would be causing 80 percent of the central Manhattan air pollution by 1980.

Without controls over truck emissions the current levels of truck pollution will make it virtually impossible for New York City to meet the ambient air quality standards required by the Clean Air Act.

It should be unacceptable to this Congress if the Environmental Protection Agency fails to immediately meet this problem. And if it fails to undertake to discharge its responsibility, then Congress will have to undertake to mandate these standards.

## ELLIOT RICHARDSON

(Mr. SEIBERLING asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. SEIBERLING. Mr. Speaker, Elliot L. Richardson by his decision to resign rather than break his commitments to the Congress and to the American people, has provided us all with an outstanding example of the kind of integrity we should expect in high public office—integrity which has been unfortunately lacking in too many instances in recent years.

Since his appointment this spring as Attorney General, Elliot Richardson has consistently recognized that his office involved an obligation extending to all the people of this Nation. His understanding of the need for a special prosecutor in the Watergate case and related matters is perhaps the most obvious example, but there are many more.

Alone among recent Attorneys General, Elliot Richardson comprehended the vital necessity that the Justice Department not only be impartial but that it be perceived as impartial. In his short term as the Nation's chief law enforcement officer, he initiated a series of reforms designed to restore public confidence in the administration of justice by the Department of Justice.

Elliot Richardson had sought to remove the Justice Department from politics. He had initiated action to monitor ethics within the Department and to require records of communications to the Department by persons not directly concerned with matters before it. He had directed the reopening of the Kent State investigation and of the decision by his predecessors not to convene a grand jury.

I sincerely hope that his successor in the Office of Attorney General will reaffirm these policies.

As a member of the Judiciary Committee, I have followed closely the public acts of the Justice Department under the leadership of Elliot Richardson. While I did not always agree with his decisions, I would like to take this opportunity to commend Mr. Richardson's openness and fairness and his dedication to justice.

The Justice Department and the United States were well served while Elliot Richardson was Attorney General. I might add that, as a Harvard college classmate of Mr. Richardson, I have been particularly gratified by the honor his career has reflected on his alma mater.

Mr. Speaker, in August Attorney General Elliot Richardson made an illuminating speech to the American Bar Association outlining his reforms at the Justice Department. The text of his speech follows these remarks.

ADDRESS BY ELLIOT L. RICHARDSON

In addressing this great organization of lawyers, I speak as a lawyer who has returned to a profession he loves. Believing in the law as the organizing principle of an ordered society and the indispensable attribute of a humane one, I am sensitive to the law's imperfections and jealous of its reputation. Like

you, I am eager to be called upon to play a part in assuring that all the members of our profession are held to its high ideals.

As a lawyer charged with heading the national government's legal department, I feel a special responsibility—and a special concern—toward the law. Whatever stains—whatever calls into question—the integrity of the Department of Justice damages confidence not simply in the Department but in government itself.

Confidence is not a structure built of stone that can withstand the buffeting winds of accusation and mistrust. It is the expression, rather, of trust itself. It is as fragile as it is precious, as hard to restore as it is easy to destroy. And yet it is obvious that trust is necessary to the very possibility of free self-government. The good health of the body politic needs the tonic of skepticism, but it cannot long survive massive doses of cynical acid.

Having taken office as Attorney General in the midst of the darkening cloud of suspicion and distrust engendered by Watergate, I recognize it as my first duty to do what I can to eliminate the causes of distrust. This is the charge the President placed upon me. This is the undertaking to which I have devoted my principal efforts since becoming Attorney General. This will continue to be the objective of my stewardship of that office—and I hope this tour will turn out to be longer than my past assignments!

I am reminded of the words of a great judge, a great legal scholar and man who gave much to the law—Mr. Justice Cardozo. As he said at the end of his "Ministry of Justice" address:

"The time is right for betterment. The law has its epics of ebb and flow. One of the flood seasons is upon us. Men are insisting, as perhaps never before, that law shall be made true to its ideal of justice."

For the Department of Justice, the first step toward betterment must be to look squarely and unblinkingly at the factors which have impaired confidence in us, however unfair their generalized formulation may be to the overwhelming majority of Department employees. Ninety-nine and 44/100% pure is not now—if it ever was—good enough.

There are, it seems to me, three factors which—in the climate of Watergate—have contributed to diminished confidence in the Department of Justice:

(1) the suspicion that political considerations or political influence can color the administration of justice;

(2) the suspicion that who you are or what you stand for is reflected in the inconsistent or unfair application of legal standards;

(3) the suspicion that the Department is not sufficiently honest in its communication with press and public.

The first of these factors—the question of politcal influence affecting the administration of justice—is not a new one, but Watergate has given it a new burst of prominence.

In recent history, under both parties, the Attorney General has been more than a political appointee, he has frequently been—before and after he came to the Department of Justice—a politcal operative as well. Now, I have nothing aaginst political operatives. I have been one myself. And there is still a place for politics as usual—but not in the Department of Justice. To the extent we are handicapped by the suspicion of political influence, we cannot afford to have at the head of the Department—or in any of its key positions—a person who is perceived to be an active political partisan. Past Attorneys General have, I know, been able to draw a line between their political and professional responsibilities. But a citizen of the Watergate era who perceives an Attorney General wearing his political hat is scarcely to be blamed for doubting whether he ever really takes it off.

I have decided, therefore, that one direct contribution I can make to countering the suspicion of political influence in the Department of Justice is not only to foreswear politics for myself but to ask my principal colleagues to do the same. It is my earnest hope that those who follow us will see fit to make the same promise. Other Departmental employees, including the U.S. Attorneys, have recently been reminded by the Supreme Court that the Hatch Act is still alive and well, and on their part no new self-denial is needed.

I am, in addition, today announcing the issuance of a Departmental order formalizing and making uniform a procedure for making records of contacts with Departmental personnel by outside parties. The order requires Departmental employees to make a memorandum of each oral communication about a matter pending before the Department from a "non-involved party." The employee will keep one copy of the memorandum and place another in the case file.

A "non-involved party" is someone with whom the employee in the routine handling of the matter would not normally have contact, including Members of Congress and their staffs, other government officials, and private persons not directly concerned in the matter. Only news media representatives are excluded.

This new reporting system should result in at least two useful by-products. One is a contemporary record of contacts with the Department that can be called upon should the need arise to rebut some accusation of improper influence. Beyond that, its very existence will discourage approaches to the Department by those who are not confident of the purity of their motives.

As one more step in the same direction we have put an end to the practice of giving a Senator or Congressman, through advance notice, the chance to announce a grant in his state or district. While this is a time-honored practice—and there may be nothing inherently wrong with it—it does inevitably, if not intentionally, create the public impression that the Senator or Congressman had some sort of influence on the result when, in fact, he had nothing to do with it.

The second of the factors affecting confidence in the Department of Justice—the suspicion that who you are or what you stand for is reflected in the inconsistent or unfair application of legal standards—is one which, like so many, lends itself more easily to rhetorical expressions of concern than to rigorous attention to concrete performance.

It seems to me requisite that we fully appreciate what may seem like so much more facile rhetoric: that our democratic system fundamentally cannot tolerate—cannot withstand—one law for the rich and another for the poor, one law for the strong and another for the weak, one law for Washington and another for the country.

It is imperative—not only morally requisite but practically requisite—that our democratic rhetorical commitment to fairness-across-the-board be matched by consistent performance.

To ensure the consistent and fair application of legal and moral standards by the Department of Justice, I am considering the establishment of an Inspector General's Office—with full authority and responsibility to assure that those who are charged with executive responsibility for a precious public trust are consistently worthy of that trust. At my regular weekly staff meeting later today I will appoint a Committee on the Office of the Inspector General to analyze this concept and to report promptly to me on the merit of its application to the Department of Justice.

Bill Ruckelshaus, whom the President has nominated as Deputy Attorney General, will serve as chairman of this Committee—whose membership will also include the Director of the FBI and representatives of affected components of the Department.

To help ensure greater consistency in the application of legal standards across the country and across levels of government, I have established an Advisory Committee of U.S. Attorneys and taken steps to foster more frequent and more systematic contact with the National Association of Attorneys General. It is my hope that, working together, we may find ways to develop and implement coherent and consistent approaches to matters of widespread public concern—in such areas as consumer protection, drug abuse prevention and protection of the environment.

In so doing, we must of course recognize our obligation to preserve those variations in practice which are vital to the health of our pluralistic system. But we cannot allow ourselves to foster or to preserve practices which undermine respect for the capacity of the system to treat people—all the people—fairly under law.

The third area in which we are attempting to counter suspicion and create confidence is in the center and openness of our conduct of the administration of justice.

We start from the awareness that we are accountable to the people of the United States. The Department of Justice has no interests and no objectives separable from theirs. We have an affirmative responsibility toward enabling them to make wise and responsible choices among clashing policies and competing interests. We have a corresponding responsibility to help assure that they are as fully informed as possible about what we are doing and why. This means that information in our hands should be withheld only where in a given case some clear public interest outweighs the public interest in freedom of information. The burden of proof should always be on establishing the need for withholding information.

Where the administration of justice is concerned, there are inevitably numerous situations is which this burden has to be assumed. But most people are quite ready to recognize that the protection of a confidential source, the safeguarding of an individual reputation or the conduct of an investigation creates a legitimate need for confidentiality. The harder task is to make sure in each instance that the need is real and to insist upon the application of consistent standards.

As the Government's chief legal agency, we have a special responsibility for the administration of the Freedom of Information Act by the Government as a whole. It is vital that the justified expectations of our citizens for access to Executive information not be thwarted by administrative delays or inconsistent responses from the various agencies. Accordingly, in my testimony before three Senate subcommittees on June 26, I announced four new steps that the Justice Department would undertake immediately to insure that the Act fulfills its promise of opening up Government and bringing it closer to the people. As the first of these steps, I have advised all Executive agencies that our litigating divisions will not defend Freedom of Information lawsuits unless the Freedom of Information Committee in our Office of Legal Counsel has been consulted prior to denial of a request.

I am, further, initiating a comprehensive government-wide study of the Freedom of Information Act for the guidance of both the Executive Branch and the Congress in improving the administration of the Act and clarifying its provisions.

The way in which the Department of Justice carries out its functions in any situation where reporters or news media are involved is also important. Reporters have a primary responsibility to the public, just as we do. This responsibility can lead them into controversial situations. But the prosecutorial power of the Department should never be used—not even by indirection or

innuendo—in a way that could weaken the exercise of First Amendment rights. Responsive to this concern, the Department of Justice in 1970 issued guidelines restricting issuance of subpoenas to the news media. These have worked so well that only 13 subpoenas have been issued and only 2 of those were contested. These guidelines have been viewed as a model for the nation.

With the same concerns in view, we are now considering a new Departmental directive which will require my specific approval before a newsman can be questioned, served with a subpoena, or made a defendant in any Federal court proceeding.

Such, then, are the measures for dispelling suspicion and restoring confidence presently in effect or under consideration. More can certainly be done, and we are continuing to look for additional such measures. Suggestions will be welcome. But there is another—and more affirmative—side of the confidence-building process, and that is in the improvement of performance.

One obvious opportunity is in the management of the Department. My predecessors, by and large, have had little interest in this area, perhaps because they have thought of the Department as first and foremost a law office and only incidentally as a government department like other government departments. Having come to Justice directly from four and a half years in other bureaucratic institutions, I tend to emphasize its latter aspect. It is a fact, at any rate, that the Department includes nearly 50,000 people, of whom only 6½% are lawyers. Its biggest components are the FBI, the Immigration and Naturalization Service, the Bureau of Prisons, and the newly created Drug Enforcement Agency. These agencies, together with the Criminal Division, the Parole Board, and the Pardon Attorney, embrace all the elements of a criminal justice system except the courts. And yet, ironically, the Department has never had a comprehensive criminal justice planning capacity, notwithstanding our consistent preachment to the states and their subdivisions through LEAA that comprehensive planning is a prerequisite for the efficient allocation of criminal justice resources.

One of my aims is thus to build at the Federal level the kind of comprehensive planning capacity we have been urging on the states. More broadly, we need to apply the same approach to the allocation of resources for all Departmental functions. Our review of fiscal 1975 budget requests is just now getting under way, and each part of the Department, including the litigating divisions, is being asked to explain not only what resources, in terms of money and manpower, it allocates to which existing tasks, but also to rate those tasks on a priority scale. New requests will be similarly rated, and Assistant Attorneys General and bureau heads will be required to make tough choices whether to scrap old programs or whittle them down in order to accommodate new priorities.

To assist in this process I plan to create a new division in the Department to be headed by an Assistant Attorney General for Management and Budget. It is much too soon, however, to make any grandiose claims for the rigor and rationality of the likely results. To plan, to budget, to allocate is to choose, and in all too many areas of Departmental responsibility, we lack the criteria for intelligent choice. Our statistical data base is inadequate. Our ability to determine what works and what doesn't work—our capacity, in other words, to evaluate—is rudimentary. And while it is inherently difficult to measure the comparative costs and benefits of alternative approaches to dealing with any human situation, to recognize that the task is hard is no excuse for the failure to tackle it.

Take, for example, today's announcement of the Uniform Crime Report for 1972, which showed a two per cent drop in crime nationwide—the first in 17 years. Violent crime increased two per cent last year, which is certainly nothing to brag about, but it does represent the smallest increase in 11 years.

I wish I could tell you with certainty what caused that decrease. I certainly believe the strenuous efforts of the Justice Department, the Law Enforcement Assistance Administration's massive grants to all parts of the criminal justice system, and coordinated planning in each of the states had a lot to do with it. But the truth is no one knows with certainty what the causes of the reduction are, and finding out is one of the things we need to work on.

For us at Justice the opportunities that lie ahead are full of promise and excitement. We can help people to be less afraid by giving them less reason to be fearful. We can cut the toll of drug abuse and prevent young people from seeking employment in crime because no other employment is open to them. We can speed the administration of justice and promote the consistency of sentencing. We can bring honesty and realism to the question of why our correctional systems so seldom correct. We can cut through restraints on the freedom to compete and protect the victim of consumer fraud. We can bring greater equity and efficiency to the administration of our immigration laws. We can help bring about a cleaner environment. We can show by the promptness and courtesy, as well as the fairness and responsiveness, of our dealings with all of our fellow citizens that we recognize their individual worth.

In all of this we shall work closely with you, for we know you share the same ends and the same devotion to the law as a means to their achievement. By our actions, singly and in combination, we can take part in the building of a new confidence.

Thank you very much.

## JAMES H. QUELLO

(Mr. MITCHELL of Maryland asked and was given permission to extend his remarks at this point in the RECORD, and to include extraneous matter.)

Mr. MITCHELL of Maryland. Mr. Speaker, the President has nominated James H. Quello to serve on the Federal Communications Commission. I oppose Mr. Quello's nomination because despite his surface connections with the black community, I believe he is not sufficiently sensitive to the needs of black citizens, our aspiration in the world of the media. No one can deny that telecasts and broadcasts have tremendous impact on our lives and these can influence public opinion in a significant fashion.

However, there are other good reasons to oppose the Quello nomination. These reasons are spelled out in the editorial, "Why a Broadcaster" published in the Baltimore Afro-American newspapers. I would hope that my colleagues in the House will join me in opposing the nomination of Mr. Quello after reading this editorial.

WHY A BROADCASTER?

Why is it so important to President Nixon that a broadcaster be placed on the Federal Communications Commission?

Apparently the FCC works effectively without people whose interest in the industry could be stronger than their concern for the public welfare. Nixon's addition of former broadcaster Robert Wells (1966–1971) did nothing special for the FCC.

If the President goes ahead with the proposed nomination of retired industry man James H. Quello, a negative reaction will result.

For one thing, a confidential memorandum discussing his sensitivity to minorities and their problems rated Quello negatively.

In addition, Quello's former connections with Storer Broadcasting and Capital Cities Broadcasting Corp. would put him in a position of possibly removing himself from hearings involving stations that reach millions of people in some key markets.

The FCC has available to it expert broadcasting area people. It does not need a man with broadcasting history to assure its effectiveness. It certainly does not need a man with questionable sensitivity to minority problems among its members.

The public is losing one of the best representatives it ever had on the FCC with the departure of Nicholas Johnson.

The challenge to the FCC will be great over the next several years. It should not be hampered by fears that some of its members could be more interested with the industry's welfare than with that of the public.

President Nixon should keep that in mind when he makes appointments. The Senate must be aware of it when called upon to consent to any nomination.

## PROPOSED CHANGE IN TRANSITIONAL RULES OF CHARITABLE REMAINDER TRUSTS

(Mr. BURKE of Massachusetts asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. BURKE of Massachusetts. Mr. Speaker, I am today submitting for the Members attention some of the written statements of Shriners Hospitals for Crippled Children before the House Ways and Means Committee on the subject of tax reform, April 13, 1973. I feel it is imperative that the Members of this body act to approve H.R. 3227, legislation I have introduced this session, which will provide an extended transitional rule to conform certain unqualified charitable remainder trusts to the existing rules of section 644 of the Code so as not to unfairly deplete trust funds passing to charity. The evidence and justification for this move is ample and ably set forth in the following testimony:

TESTIMONY

I. SUPPORT OF PROPOSED CHANGE IN TRANSITIONAL RULES OF CHARITABLE REMAINDER TRUSTS

*A. Summary*

Under existing law, I.R.C. Sec. 2055(e) denies an estate a charitable contribution deduction for the value of a charitable remainder unless the contribution is in the form of a charitable remainder annuity trust or charitable remainder unitrust described in Sec. 664. A correlative result is that the unqualified interest, if in a trust, is not exempt from income tax (as are Sec. 664 trusts) and is subject to tax under the rules of Subchapter J. Existing regulations permitted unqualified charitable remainder trusts to be amended, if allowed under local law, and the amended (i.e., conformed) trusts are treated, for federal tax purposes, as if these trusts had been correctly drawn originally. See Regs. § 1.664—1(f)(3). The benefits under the regulation did not continue beyond December 31, 1972 (unless a judicial proceeding was begun before that time and amendment of the testamentary or inter vivos trust occurs thereafter). The transitional rule contained in H.R. 3227 would continue, in purpose and effect, the same rights granted by the regulations for an additional three years in the case of testamentary

trusts. It does so by adding new Sec. 2055 (e)(3) and providing the Treasury Department with regulatory authority to deal with related federal tax matters affecting such trusts. The three additional years represents, in our judgment, and that of other public charities, the time reasonably and actually necessary to avoid undue hardship in the implementation of present law. The extension of time provided for in H.R. 3227 gives public charities the opportunity to reclaim substantial sums in lost trust principal [1] and assure that reformed charitable remainder trusts are subject to those private foundation rules which Congress thought appropriate for Sec. 664 trusts.

*B. Description of need for extended transitional rule*

Shriners Hospitals for Crippled Children receive approximately 100 wills each month providing bequests and devises and of this number there are, on the average, about 15 each month providing for charitable remainder trusts. Since the effective date of Secs. 664 and 2055(e), it received and became the beneficiary of more than 100 unqualified charitable remainder trusts created by testators who died after December 31, 1969.[2] The usual reasons for the failure of the charitable estate tax deduction (under Sec. 2055(e)) are as follows:

1. The trusts are not in proper annuity or unitrust format; or

2. The annuity trust or unitrust was inexpertly drafted and does not conform to the governing instrument rules contained in the statute, regulations and/or Rev. Rul. 72-395, I.R.B. 1972-36, 21; or

3. Existing instruments (in existence on October 9, 1969) were modified by codicils, both substantively and non-substantively, requiring the will to be treated as republished. (S. Rep. 91-552, 91st Cong., 1st Sess. at p. 34, fn. 5). See, Prop. Regs. § 20.2055-2 (e)(3) and (4), 37 F.R. 7895 (April 21, 1972).

If a trust contained in the will does not conform to the provisions of Sec. 664 and the regulations, the estate is denied a charitable contribution deduction under Sec. 2055(e). In the absence of a tax clause in the will, the incremental tax attributable to the loss of the deduction normally comes from the corpus of the split interest trust under the uniform rules governing allocation of federal estate tax.[3] This means, for example, in several of our unqualified trusts upwards of $250,000 in additional federal estate tax (payable by reason of the failure to have a qualified trust) comes out of the share of the monies otherwise payable to us upon the death of the income beneficiary. Likewise, if a charitable remainder trust is beneficiary of the residuary of an estate, and the will has the normal tax clause requiring that all federal taxes be paid out of the residuary, the additional estate tax due because of Sec. 2055(e) again falls upon the public charity. Thus, although the drafting error was made by the testator or his lawyer, the loss of trust principal (paid in additional estate taxes) is borne in nearly all events by the public charity. Since one of the principal purposes of Sec. 664 was to preserve and protect the charity's interest in the remainder, it is a peculiar irony that that particular change in law has the effect of depriving the public charities of amounts the law was trying to assure it would receive.

Of the 100 unqualified trusts, about 20 trusts involve a sufficient economic interest impelling us to seek reformation of the instrument by judicial proceeding or agreement between all parties in interest, if permitted by state law. Agreements by all concerned with the testamentary trust—except the decedent—to amend or conform the testamentary trust contained in the will may be done, without resort to judicial proceedings, pursuant to state legislation enacted principally on the initiative of our organization.[4] In addition, we are a party to various judicial proceedings where executors ask the local courts to amend or conform unqualified testamentary trusts to the requirements of Sec. 664. The parties in interest seek to have the local court add all of the necessary terms and conditions to the trust provisions contained in the will, to delete those provisions inconsistent with Sec. 664 and, thereby, provide a basis for the estate to claim a charitable deduction under Sec. 2055(a) not otherwise allowable because of Sec. 2055(e). When all the interested parties voluntarily join in these proceedings, we usually find that a court will enter a decree creating the necessary form of annuity trust or unitrust. The executor, thereafter, files his original or amended estate tax return, claiming the appropriate deduction for the present value of the remainder interest. Through December 31, 1972, the opportunity to reform unqualified trusts would preserve for our charitable activities approximately $500,000 to $750,000 in trust principal (with a corresponding loss in federal estate tax revenues).

*C. Review of Expired transitional rules contained in Tax Reform Act of 1969 and regulations*

It was recognized by the Congress that the new rules for these trusts would require a certain amount of time to facilitate the changeover from the previous standards.[5] Section 201(g) of the Tax Reform Act provides that in the case of wills in effect on October 9, 1969, the old rules would apply if the decendent dies prior to October 9, 1972 without having republished his will by codicil or otherwise.[6] Even this latter condition may be modified. (*Cf.* H. Rep. 92-781, 92d Cong., 2d Sess. (to accompany H.R. 1247)). The transitional rule contained in the Tax Reform Act permitted an estate tax charitable deduction for trusts using the far less restrictive format permitted by prior law and *did not require reformation of the governing instrument.*

As the drafting process for the Sec. 664 regulations was undertaken, it became apparent that implementation of that section created a number of problems for the uninformed or underadvised testator. The Act's transitional rule was too narrowly drawn to protect the innocent. The first set of proposed regulations were promulgated August 5, 1970, 35 F.R. 12467. Under Prop. Regs. § 1.664-1(f), the Treasury Department attempted to minimize the adverse impact upon contribution deductions for governing instruments, drafted after the transitional rule date of October 9, 1969, which did not conform to the requirements of either Sec. 644 or the additional governing instrument tests contained within the proposed regulations.

The regulations permitted a reformed inter vivos or testamentary trust to be treated as a qualified trust for all purposes, including the allowance of a charitable deduction for income, estate or gift tax purposes as if the will (or other governing instrument) of the donor, regardless of when drawn, had been properly drafted in the first place. Amendments to reformed trusts had to be concluded by January 1, 1971 (or judicial proceedings begun before such date). After lengthy hearings on the original regulations, the August 5, 1970 regulations were withdrawn and a new set of proposed regulations were promulgated on September 18, 1971, 36 F.R. 18667.

During the intervening period, the Treasury Department published T.I.R. 1060 (December 18, 1970) and T.I.R. 1085 (June 11, 1971) extending the date for effecting reformation. At a subsequent hearing on the reproposed regulations. Shriners Hospitals suggested that the regulations make permanent the opportunity given to executors, trustees and other interested parties of unqualified charitable remainder trusts to amend the governing instrument to conform it to the rules of Sec. 664 and proposed regulations. A permanent "transitional" rule for the regulations was rejected.

It is apparent from both versions of the proposed regulations and the final regulations that the Treasury Department agrees that amendments to unqualified instruments (regardless of the date the trust was created after July 31, 1969) by judicial proceeding, binding agreement or otherwise,[7] until December 31, 1972,[8] was proper to assure orderly transition ino the new rules governing charitable remainder trusts.

*D. General discussion of application of H.R. 3227*

H.R. 3227 amends Sec. 2055(e) to add Sec. 2055(e)(3), a relief provision aimed at reducing the hardship caused by the enactment, in 1969, of the complex charitable remainder trust rules affecting certain charitable "bequests, legacies, devises or transfers." It should, accordingly, be liberally construed to effectuate its purpose of allowing a charitable deduction when the final version of the trust conforms to Sec. 664.[9] Its premise is that the resultant qualified trust, effectuated through judicial proceeding or binding agreement, was actually in the will (or other governing instrument) as of the date of the decedent's death.

H.R. 3227 liberalizes the amendment or conformation rights contained in Regs. § 1.664-1(f)(3) as applied to Sec. 2055(e). The bill has a number of material distinctions which should be noted in the event questions may arise as to the scope or extent of its application. Under the regulations, the original bequest or transfer had to be in trust and such trust had to be created subsequent to July 31, 1969 and prior to December 31, 1972 (apparently even if created as a revocable trust). In addition, at the time the trust was created, the governing instrument (whether deed of trust or will) had to give the qualified beneficiary "an irrevocable remainder interest in such trust." Regs. § 1.664-1(f)(3)(i).

1. H.R. 3227 requires only an "interest in property" to pass from the decedent to the charitable beneficiary. If the interest is not in trust at the time of decedent's death (*viz.*, from January 1, 1970 to December 31, 1975), the deduction is nevertheless allowable if the interest is properly and timely amended or conformed under proposed Sec. 2055(e)(3).

(2) The key date for application of the reformation right is the date of death of decedent, not the date on which the original transfer in trust (if that is the case) occurred. Under the regulations, it appears that if a revocable trust was created and funded before July 31, 1969 and later became irrevocable because of the death of one of the income beneficiaries or relinquishment of certain powers, no right of amendment or conformation exists in the regulation. This "creation" problem is eliminated by H.R. 3227, and the deduction allowed, where the transferred interest is properly and timely amended or conformed under proposed Sec. 2055(e)(3).

3. The regulations require that the donor have originally transferred an irrevocable remainder interest. This is not required by H.R. 3227. If the charity received, by reason of the death of the decedent, a future remainder, regardless of form, including clearly conditional interests, it is eligible to seek reformation of that interest into a Sec. 664 trust. For example, assume a charity received an interest from a decedent which provided for private income interests but a charitable remainder *only if* the decedent's daughter, childless at his death, dies without descendents who survive both her and her mother. Under prior law no deduction was

Footnotes at end of article.

available (*Estate of Sternberger* v. *United States*, 348 U.S. 197 (1955)) because there was the possibility that the transfer to charity would not become effective. Under H.R. 3227, an estate tax charitable deduction is allowed if the end result is a qualified charitable remainder trust described in Sec. 664. In other words, H.R. 3227 will permit transfers or bequests conditional in form (*Cf.* Rev. Rul. 64–129, C. B. 1964–1, Part 1, 329) to be rendered deductible if they become unconditional in fact by an amendment or conformation contemplated by proposed Sec. 2055(e)(3).

4. Under prior law, before a deduction was allowable for the value of the charitable remainder in trust, the probability of invasion or divestment or dissipation (including allocation of capital gains to the income beneficiary) by the Trustee, for the benefit of the income beneficiary, had to be "so remote as to be negligible." *Ithaca Trust Co.* v. *United States*, 279 U.S. 151 (1929). Thus, as stated in regulations (Regs. § 20.2055–2(b)) applicable to decendents dying before January 1, 1970 (and thus unaffected by Sec. 2055(e) in its present form):

"If, as of the date of a decedent's death, a transfer for charitable purposes is dependent upon the performance of some act or the happening of a precedent event in order that it might become effective, no deduction is allowable unless the possibility that the charitable transfer will not become effective is so remote as to be negligible. If an estate or interest has passed to or is vested in charity at the time of a decedent's death and the estate or interest would be defeated by the performance of some act or the happening of some event, the occurrence of which appeared to have been highly improbable at the time of the decedent's death, the deduction is allowable. If the legatee, devisee, donee, or trustee is empowered to divert the property or fund, in whole or in part, to a use or purpose which would have rendered it, to the extent that it is subject to such power, not deductible had it been directly so bequeathed, devised, or given by the decedent, the deduction will be limited to that portion, if any, of the property or fund which is exempt from an exercise of the power. The deduction is not allowed in the case of a transfer in trust conveying to charity a present interest in income if by reason of all the conditions and circumstances surrounding the transfer it appears that the charity may not receive the beneficial enjoyment of the interest."

Regardless of the foregoing considerations, such as ascertainability of the value of the charitable interest as of decedent's death, a deduction will nevertheless be allowed if the transferred interest is properly and timely amended or conformed. Thus, even where prior law would have caused loss of the deduction,[10] if a testamentary trust as orginally created is amended or conformed so that there are *no* invasion rights (as required by Sec. 664, the deduction is permitted.

For example, suppose the decedent, by will, created an unqualified testamentary charitable remainder trust (without annuity or unitrust format) and, under the original terms of the testamentary trust, permitted the trustee to distribute to the wife such amounts of corpus as were necessary for her "happiness" (*Merchants Nat'l Bank* v. *Comm'r*, 320 U.S. 256 (1943)) or for her "pleasure" (*Henslee* v. *Union Planters Nat'l Bank*, 335 U.S. 595 (1949)). Under prior law, no deduction was allowed. Under proposed Sec. 2055(e)(3), a deduction would nevertheless be allowed if the trust is properly and timely amended or conformed to the unitrust or annuity trust format to extirpate all provisions which would disallow the deduction.

In similar fashion, suppose the decedent, by will, created an unqualified testamentary charitable remainder trust (without annuity or unitrust format) and the original trust permitted allocation of all capital gains to ordinary income for the benefit of the private beneficiary. Under prior law, the charitable deduction was not allowable. *Gardiner* v. *United States*, 1972–1 USTC §12,841 (9th Cir. 1972). A deduction would be allowed if the trust is properly and timely amended or conformed under Sec. 2055(e)(3) (which bars such allocations).

5. Under prior law, the death of a noncharitable income beneficiary was not treated as a disclaimer in order to render deductible a charitable bequest which was speculative at the time of decendent's death. *City National Bank and Trust Co.* v. *United States*, 312 F. 2d 118 (6th Cir. 1963). There may be instances when an income beneficiary may die after the period specified in the final flush sentence of Sec. 2055(a), necessitating the type of adjustment covered by H.R. 3227. When it is clear from the will that the deceased income beneficiary's interest passed from the decedent at the date of his death, then a court of competent jurisdiction, through a post-mortem guardianship, could appoint a guardian to facilitate the amendment or reformation enabling the estate to claim the deduction for the present value of the property passing to charity computed as of the date of decedent's death. In the above case, the deduction would be computed without regard to the income beneficiary's death, using the actuarial tables (age and sex) applicable at the time of the testator's death. No increase in the estate tax deduction would occur by reason of the premature death of the income beneficiary.

*E. Expanded transitional rule induces unqualified trusts to become subject to Internal Revenue Service oversight*

Part of the Chapter 42 limitations imposed upon private foundations' activities are applied to charitable remainder annuity trusts and charitable remainder unitrusts described in Sec. 664.[11] These rules are applied to qualified charitable remainder trusts to prevent the use of such trusts as vehicles to avoid the limitations placed on private foundations:

"Prior law did not impose restrictions or requirements on nonexempt trusts similar to those imposed by the Act on private foundations. In addition, the allowability of a charitable contribution deduction (for income, gift, and estate tax purposes) for a gift to charity in the form of an interest in trust was not conditioned on the existence of provisions in the trust instrument which prevent the trust from violating restrictions or requirements of this nature. * * * If a nonexempt charitable trust were not subject to many of the requirements and restrictions imposed on private foundations, it would be possible for taxpayers to avoid these restrictions by the use of nonexempt trusts instead of private foundations. * * * The Act prevents the avoidance of the foundation rules by providing generally that nonexempt charitable trusts are subject to most of the same requirements and restrictions as are imposed on private foundations. The restrictions made applicable are those relating to termination of private foundation status, governing instruments, self-dealing, retention of excess business holdings, and the making of speculative investments or taxable expenditures." [Generally, General Explanation of the Tax Reform Act of 1969, Dec. 3, 1970, at p. 88]

The two important limitations which apply to charitable remainder trusts deal with limitations on self-dealing (I.R.C. Sec. 4941) and making of taxable expenditures (I.R.C. Sec. 4945). Self-dealing limitations exist as a shield for the charitable remainder:

"[To] minimize the need to apply subjective arm's-length standards, to avoid the temptation to misuse private foundations for noncharitable purposes, to provide a more rational relationship between sanctions and improper acts, and to make it more practical to properly enforce the law, the Act generally prohibits self-dealing transactions and provides a variety and graduation of sanctions, as described below. This is based on the belief by the Congress that the highest fiduciary standards require complete elimination of all self-dealing rather than arm's-length standards." [Generally, General Explanation of the Tax Reform Act of 1969, *supra*, at pp. 30–31]

With the repeal of Secs. 681(b) and (c),[12] and the factor that none of the Chapter 42 taxes are applicable to unqualified charitable remainder trusts,[13] an unqualified charitable remainder trust is free of any federal tax limitations on self-dealing or similar noncharitable activities. Under prior law, Secs. 681(b) and (c) could be applied to the charitable income interest or charitable remainder interest regardless of the deductibility (or extent thereof) of the value of the property placed in trust representing the charitable interest. The limitations of these provisions dealt not only with application of Sec. 642(c) (charitable deductions of trusts) but could affect the deductibility of future contributions to the split interest trust by operation of Sec. 503(e).

If unqualified trusts are reformed to conform to the provision of Sec. 664 and Sec. 2055(e), such trusts become subject to the rules of Chapter 42 to the extent provided by Sec. 4947(a)(2). Assuming the basic purpose of Chapter 42 is to preserve and protect monies dedicated to public uses and prevent abuse of such funds, a bill which induces unqualified trusts to become subject to the rules of Chapter 42 will complement the legislative purposes for applying Chapter 42 to Sec. 664 trusts in the first place. The Government would be bringing into the regulatory scheme additional trusts which otherwise would have been free of any self-dealing, investment or similar limitations. This regulation or enforcement consideration should not be minimized in evaluating the total net effect of the transitional rule being suggested.

FOOTNOTES

[1] In most cases, loss of the estate tax charitable deduction means the tax is satisfied out of the property representing the principal of the trust destined eventually for charity.

[2] Under Sec. 201(g)(4)(A), Tax Reform Act of 1969, I.R.C. Sec. 2055(e) is effective, as to testamentary charitable transfers, for decedents dying after December 31, 1969.

[3] *Cf.* I.R.C. Sec. 2205 with McKinney's Cons. N.Y. Laws (Book 17B), Estates, Powers and Trust Law, § 2–1. 8. Annotated Code of Maryland, Art. 93 § 11–109 ("Uniform Estate Tax Apportionment Act").

[4] D.C. Code, Title 21, § 1801(d) (1972 Supp.); Annotated Code of Maryland, Art. 16, § 199D–1 (1972 Supp.); Ohio Code, §109.-232 (1972 Supp.). These statutes permit the trustee and all beneficiaries to agree, among themselves, to reform the instrument without resort to judicial proceeding in order to conform the instrument to the requirements of Sec. 664. Absent a legislative grant to perform the amendment or conformance rites, an action for reformation or, in probate parlance, "construction" is necessary to alter the testamentary disposition. *Cf. Estate of Pearlbrook*, CCH Private Foundation Reporter, ¶ 7310 (N.Y. Surrogates Ct., N.Y. County, August 7, 1972).

[5] For a recent study of policy considerations inherent in tax legislation, see Note, Setting Effective Dates for Tax Legislation: A Rule of Prospectivity, 84 *Harvard Law Review* 436 (1970).

[6] See generally, Prop. Regs. § 20.2055–2(e)(3) and (4), 37 F.R. 7895 (April 21, 1972).

[7] See, H. Rep. 92–610, 92d Cong., 1st Sess. (to accompany H.R. 11489) at p. 7.

[8] The reformation date of December 31, 1971 contained in Prop. Regs. § 1.664–1(g)(3), 36 F.R. 18671, was extended to June 30, 1972 by T.I.R. 1120 (December 17, 1971) and extended in the final regulations to December 31, 1972 in I.T. Regs. § 1.664–1(f)(3).

[9] Because of a public charity's interest in an estate, the Supreme Court, sometime ago, upheld the tax benefits which in reality flowed to a hospital despite a "technical formality" which the Government tried to use to disallow the deduction. *Lederer* v. *Stockton*, 260 U.S. 3, 8 (1922). Since then, it has been generally recognized that deduction provisions which create incentives to give to charity should not be narrowly construed because they are "liberalizations of the law in the taxpayer's favor, * * * begotten from motives of public policy * * *." *Helvering* v. *Bliss*, 293 U.S. 144, 151 (1934).

[10] Rev. Rul. 70–452, C.B. 1970–2, 199.

[11] I.R.C. Sec. 4947(a)(2). Prop. Regs. § 53.4947–1(c)(1)(ii), 36 F.R. 5240 (March 18, 1971).

[12] 101(j)(18) of the Tax Reform Act of 1969.

[13] I.R.C. Sec. 4947(a)(2)(B).

## PRESIDENT NIXON SOFTENS A CRISIS

(Mr. FASCELL asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. FASCELL. Mr. Speaker, I call yesterday's editorial of the Miami Herald to the attention of my colleagues in the House.

I do so because it expresses concisely and clearly a sensible viewpoint on matters over which the entire Nation has been agonizing:

THE LAW IS NOT DEFIED—AND A CRISIS IS SOFTENED

"This President," said his counsel yesterday in open court, "does not defy the law." In that motion Mr. Nixon turned over The White House Tapes and apparently all other relevant Watergate documents to the federal court which had subpoenaed them.

The President's wise action came better late than never. Whether it will cure the counts against him in Congress, where the House Judiciary Committee had begun a study of whether he should be impeached, cannot be determined at once. And whether this capitulation will appease the American people who, as former Attorney General Elliot Richardson said yesterday, are his ultimate judges, is problematical.

Our feeling, however, is that a constitutional crisis has been avoided, at least for the moment. Indeed, it is a feeling of relief.

In the words of Chesterfield Smith, who urged the President to change his course, defiance of the U.S. Court of Appeals and of U.S. District Judge John Sirica constituted an "attack on the justice system and the rule of law as we have known it in this country."

Mr. Smith, of Lakeland, a distinguished member of the Florida Bar and president of the American Bar Association, must have spoken tellingly for many aggrieved Americans. His organization seldom wets its toes in the hot waters of public controversy. But such were the dimensions of the crisis.

More is the pity, of course, that the crisis ever had to be precipitated. It made a shambles of the Justice Department and it diverted the nation and the White House with it from the new suddenly menacing developments of the Middle East war.

There are still demands in Congress for impeachment, and we have said, Go slow. Watergate and this week's aftermath is only one matter. Mr. Richardson mentioned the "integrity" of the judicial system, and he might as well have alluded to integrity in the executive. Disclosures about election spending and allegations about funds for favors are other factors. From every sign the American people have lost confidence in the Nixon administration. If Mr. Nixon has broken no law, he is yet cast in the public eye as a malefactor of political power.

If there is to be action in Congress we recommend the course of the House Judiciary Committee which is beginning a sober and orderly study of whether the President has in fact done anything for which he should be impeached.

It is through its representatives elected at the shortest intervals and most often answerable to them that the people govern themselves. The public should await the outcome of that inquiry without emotion and with, we think, well-placed confidence. For this is not the time for the Republic to go off half-cocked.

## METRIC CONVERSION BILL (H.R. 11035) CONTAINS SEVERAL DEFECTS

(Mr. McCLORY asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. McCLORY. Mr. Speaker, it appears that the House Rules Committee will grant a rule within the next few days authorizing debate on the proposed metric conversion bill as reported by the House Committee on Science and Astronautics.

It is with some reluctance that I express dissatisfaction and disagreement with certain parts of this legislation. However, it is my feeling that the measure in its present form fails to fulfill the existing need for establishment of a mechanism for developing a coordinated national program for conversion to the metric system over a 10-year period.

Mr. Speaker, the title of the bill would seem to limit the measure to establishment of a national policy—instead of providing for a national program for conversion to the metric system of weights and measures. In addition, to require development of a comprehensive plan subject to later congressional or Presidential veto constitutes a built-in delay of at least 14 months before we can proceed to express a national commitment to convert to the metric system.

Mr. Speaker, many of my colleagues joined me in sponsoring a separate bill in the form of H.R. 19720. While I would prefer that measure as a substitute for the committee bill (H.R. 11035), I plan to limit my proposed changes to two amendments to H.R. 11035, which I will attach to these remarks for the further information of all of my colleagues.

Mr. Speaker, the first amendment will do nothing more than change the title of this bill to emphasize that we are indeed establishing "a program for the United States to convert to the international metric system."

Mr. Speaker, the second amendment would have the effect of making a national commitment now to convert to the metric system over a 10-year period, and would charge the Metric Conversion Board with carrying out a general conversion to metric measurements. The Board would be authorized to develop detailed plans and timetables and to generally guide the Nation in a coordinated, voluntary program in which every element of our society would participate.

Mr. Speaker, it is my understanding that none of the other nations which have engaged in a coordinated conversion to the international metric system has adopted the approach which is contained in the committee bill; namely, the development of a "comprehensive plan" subject to approval by the President and the Congress as well as the Department of Commerce. Indeed, it is my further understanding that the Canadian authorities encountered difficulties following their original decision to convert to the metric system—by authorizing the very kind of "comprehensive plan" which is required by the committee bill (H.R. 11035).

It is quite obvious that in developing a coordinated program of general conversion to the metric system of weights and measures, there must be separate and distinct plans which relate to the various segments of our society which are subject to the conversion program. The details, the timetables, and other subjects must undergo almost continual review and revision—particularly because of the voluntary and coordinated nature of the overall conversion program.

Mr. Speaker, with the benefit of the experience of many other nations, England, Australia, New Zealand, among others, for us to demand by legislation requirements which have been discredited in these other nations would appear on its face to be a grave mistake. This is the principal defect in the committee bill which my second amendment endeavors to correct.

Mr. Speaker, unless this second amendment is adopted, it cannot be said that the Congress is taking a decisive step to convert to the metric system. Instead, the bill as presented to the House contains built-in dangers which might delay indefinitely any such important step.

Mr. Speaker, it would be my hope that the Department of Commerce and the members of the Science and Astronautics Committee, as well as all of my colleagues in the House who are interested in providing a constructive and coordinated program of conversion to the international metric system, would join in supporting these two vital amendments.

Mr. Speaker, the two proposed amendments follow:

AMENDMENT NO. 1 TO H.R. 11035, AS REPORTED OFFERED BY MR. M'CLORY

The title is amended to read as follows: "A bill to establish a program for the United States to convert to the international metric system."

AMENDMENT NO. 2 TO H.R. 11035 REPORTED BY MR. M'CLORY

Strike out all of Sections 9, 10, and 11 (beginning on line 14 of page 6 and ending on line 21 of page 11) and by renumbering the remaining sections of the bill accordingly, and inserting in lieu thereof, the following:

The Board is charged with the responsibility of implementing, with the voluntary participation of every interested sector and group in the United States, the recommendations of the United States metric study, undertaken pursuant to the Act approved August 9, 1968, including—

(1) that the United States change to the

international metric system deliberately and carefully;

(2) that this be done through a coordinated national program;

(3) that detailed plans and timetables be worked out, within the guiding framework established and from time to time revised by the Board, by the various sectors and interests of the society themselves;

(4) that priority be given to educational programs to be carried out in the Nation's elementary and secondary schools and institutions of higher learning, as well as with the public at large, which shall be designed to enable all Americans to think and work in metric terms and which shall include—

(A) public information programs conducted by the Board through the use of newspapers, magazines, radio, television, other media, and through talks before appropriate citizen groups and public and private organizations;

(B) counseling and consultation by the Board, in cooperation with the Secretary of Health, Education, and Welfare and the Director of the National Science Foundation, with educational associations and groups so as to assure that the international metric system is made a part of the curriculums of the Nation's educational institutions and that teachers and other appropriate personnel are properly trained to teach the international metric system; and

(C) consultation by the Board with appropriate State and local weights and measures officials to assure that such officials are informed of steps being taken to convert to the international metric system;

(5) that the appropriate representatives of American enterprise participate in international standards activities;

(6) that in order to encourage efficiency and minimize the overall costs to society, the general rule should be that any changeover costs shall lie where they fall;

(7) that the Board establish such committees and advisory panels as it deems necessary to work with the various sectors of the American economy and governmental agencies in the implementation of the international metric system; and

(8) that the target date for conversion shall be January 1, 1985 after which date the nation shall be predominantly, although not exclusively, metric.

(9) that the Board shall cease to exist after the target date.

## SPECIAL PROSECUTOR AND GRAND JURY HEARINGS

(Mr. HUNGATE asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. HUNGATE. Mr. Speaker, yesterday the chairman of the Committee on the Judiciary announced that the Subcommittee on Criminal Justice has been assigned various legislative proposals dealing with the establishment of an independent special prosecutor and legislative proposals to extend the life of the grand jury in the District of Columbia which is now considering various Watergate and Watergate-related matters.

At a subcommittee meeting today, it was decided that, because of the urgency and importance of these issues, hearings will begin on Monday, October 29, at 10 a.m., in room 2141, Rayburn House Office Building. They will continue on Wednesday, October 31; Thursday, November 1; and, if necessary, on into the following week.

Persons and organizations wishing to make their views known to the subcommittee should promptly contact counsel, Subcommittee on Criminal Justice, House Committee on the Judiciary, room 2137, Rayburn House Office Building, Washington, D.C., 20515—telephone number 202–225–0406.

The subcommittee has decided to proceed first on that phase of the legislation which would extend the grand jury's term, and expects to complete action on it on October 29, 1973.

On October 31, the subcommittee will turn its particular attention to legislative proposals for the appointment of a special prosecutor.

## MAJORITY LEADER THOMAS P. O'NEILL, JR., SAYS THAT DESPITE THE PRESIDENTIAL CRISIS, THE OLD ECONOMIC CRISIS REMAINS

(Mr. O'NEILL asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. O'NEILL. Mr. Speaker, since last weekend, the Nation's attention has been riveted on the crisis precipitated by President Nixon's firing of the special prosecutor, Archibald Cox.

There has almost been a tendency to forget such common, everyday crises as the price of food, the cost of living generally, and the prospects for employment.

Yesterday, Herbert Stein, Chairman of the Council of Economic Advisers, brought these matters to the Nation's attention once again. In a press conference, Mr. Stein said the Nation could expect an increase in unemployment in 1974. He suggested that credit will remain tight. And he could not say exactly when the price spiral might start to slow down.

For the housewife, and for all of us, that means continued high food prices. On that score, Mr. Stein retreated to a familiar administration refrain: Things are getting worse, but at a slower rate.

He said food prices would continue to go up during the next few months but, by later next year, food prices would no longer be a major concern of the housewife.

Well, Mr. Speaker, that is wonderful news—for next year. But the housewife and her family and all of us have to eat today and tomorrow and every day while we are waiting for the moderately rosy future predicted by Mr. Stein.

Despite the Watergate tapes mess in which the President has entangled himself—despite the international crises that we are confronting, the old problems still remain. The American people still suffer from the neglect, ineptitude, and negative economic policies perpetrated by this administration since it took office.

## LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. BURTON (at the request of Mr. O'NEILL), for today, on account of death in family.

Mr. BRASCO (at the request of Mr. O'NEILL), for today, on account of official business.

## SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. SARASIN) to revise and extend their remarks and include extraneous material:)

Mr. HANRAHAN, for 5 minutes, today.

Mr. MARAZITI, for 7 minutes, today.

Mr. KEMP, for 15 minutes, today.

Mr. WILLIAMS, for 15 minutes, today.

Mr. WALSH, for 15 minutes, today.

(The following Members (at the request of Mr. SARASIN) and to revise and extend their remarks and include extraneous matter:)

Mr. ANDREWS of North Dakota, for 30 minutes, today.

(The following Members (at the request of Mr. ANDREWS of North Carolina) to revise and extend their remarks and include extraneous matter:)

Mr. MCSPADDEN, for 5 minutes, today.

Mr. GONZALEZ, for 5 minutes, today.

Mr. REUSS, for 60 minutes, today.

Mr. DIGGS, for 5 minutes, today.

Mr. THOMPSON of New Jersey, for 5 minutes, today.

Mr. VANIK, for 5 minutes, today, to revise and extend his remarks and include extraneous material.

## EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. DONOHUE, immediately following the prayer.

(The following Members (at the request of Mr. SARASIN) and to include extraneous material:)

Mr. PEYSER in two instances.

Mr. YOUNG of South Carolina.

Mr. ESCH.

Mr. STEIGER of Wisconsin in four instances.

Mr. GILMAN.

Mr. SPENCE in two instances.

Mr. SEBELIUS.

Mr. DAVIS of Wisconsin.

Mr. WALSH.

Mr. ASHBROOK in two instances.

Mr. LENT in three instances.

Mr. KEMP in two instances.

Mrs. HOLT in two instances.

Mr. HOSMER in three instances.

Mr. TREEN.

Mr. SYMMS.

(The following Members (at the request of Mr. ANDREWS of North Carolina) and to include extraneous matter:)

Mr. YOUNG of Georgia in six instances.

Mr. BADILLO in two instances.

Mr. HAMILTON in 10 instances.

Mr. GONZALEZ in three instances.

Mr. RARICK in three instances.

Mr. ASHLEY.

Mr. KLUCZYNSKI.

Mr. ROONEY of New York in two instances.

Mr. VANIK in two instances.

Mr. DELLUMS in five instances.

Mr. MCCORMACK.

Mr. HARRINGTON in four instances.

Mr. JONES of Tennessee in six instances.

Mr. PICKLE.

Mr. MELCHER.
Mr. ANDREWS of North Carolina.

## ENROLLED BILL SIGNED

Mr. HAYS, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 9639. An act to amend the National School Lunch and Child Nutrition Acts for the purpose of providing additional Federal financial assistance to the school lunch and school breakfast programs.

## ADJOURNMENT

Mr. ANDREWS of North Carolina. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 13 minutes p.m.), under its previous order, the House adjourned until Monday, October 29, 1973, at 12 o'clock noon.

## EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1481. A letter from the Assistant Secretary of Defense (Comptroller), transmitting a report of receipts and disbursements pertaining to the disposal of surplus military supplies, equipment, and material, and for expenses involving the production of lumber and timber products, covering the fourth quarter of fiscal year 1973, pursuant to section 712 of Public Law 92–570; to the Committee on Appropriations.

1482. A letter from the Assistant Secretary of the Interior, transmitting a report on a major change being proposed in the plan for the Seedskadee project, Colorado River storage project, Wyoming; to the Committee on Interior and Insular Affairs.

## REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. ULLMAN: Committee on Ways and Means. H.R. 11104. A bill to provide for a temporary increase of $13 billion in the public debt limit and to extend the period to which this temporary limit applies to June 30, 1974 (Rept. No. 93–609). Referred to the Committee of the Whole House on the State of the Union.

## PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ULLMAN (for himself and Mr. SCHNEEBELI):

H.R. 11104. A bill to provide for a temporary increase of $13 billion in the public debt limit and to extend the period to which this temporary limit applies to June 30, 1974; to the Committee on Ways and Means.

By Mr. BRADEMAS (for himself, Mr. PEPPER, Mr. ESHLEMAN, Mr. PERKINS, Mr. BELL, Mr. THOMPSON of New Jersey, Mr. DELLENBACK, Mr. DENT, Mr. ESCH, Mr. DOMINICK V. DANIELS, Mr. O'HARA, Mr. HANSEN of Idaho, Mr. HAWKINS, Mr. PEYSER, Mr. WILLIAM D. FORD, Mr. SARASIN, Mrs. MINK, Mr. MEEDS, Mr. BURTON, Mr. GAYDOS, Mrs. CHISHOLM, Mr. BIAGGI, Mrs. GRASSO, Mr. MAZZOLI, Mr. BADILLO, and Mr. LEHMAN):

H.R. 11105. A bill to amend title VII of the Older Americans Act relating to the nutrition program for the elderly to provide authorization of appropriations, and for other purposes; to the Committee on Education and Labor.

By Mr. BROWN of California:

H.R. 11106. A bill to amend the Internal Revenue Code of 1954 to provide that advertising of alcoholic beverages is not a deductible expense; to the Committee on Ways and Means.

By Mr. CORMAN (for himself, Mr. PETTIS, and Mr. MAILLIARD):

H.R. 11107. A bill to amend the Philippine Trade Act of 1946 in order to remove the quota on Philippine cordage at the close of calendar year 1973; to the Committee on Ways and Means.

By Mr. DIGGS (for himself, Mr. NELSEN, Mr. STUCKEY, Mr. DELLUMS, Mr. REES, Mr. FAUNTROY, Mr. HOWARD, Mr. RANGEL, Mr. BRECKINRIDGE, Mr. STARK, Mr. BROYHILL of Virginia, Mr. GUDE, Mr. LANDGREBE, and Mr. MCKINNEY):

H.R. 11108. A bill to extend for 3 years the District of Columbia Medical and Dental Manpower Act of 1970; to the Committee on the District of Columbia.

By Mr. DULSKI:

H.R. 11109. A bill to name the Federal Office Building in Buffalo, N.Y., the "Robert F. Kennedy Federal Office Building"; to the Committee on Public Works.

By Mr. GUBSER:

H.R. 11110. A bill to incorporate World War I Overseas Flyers, Inc.; to the Committee on the Judiciary.

By Mr. HANRAHAN:

H.R. 11111. A bill to provide that daylight saving time shall be observed on a year-round basis; to the Committee on Interstate and Foreign Commerce.

By Mr. HANSEN of Idaho:

H.R. 11112. A bill to amend the Federal Metal and Nonmetallic Mine Safety Act of 1966 (80 Stat. 772); to the Committee on Education and Labor.

By Mr. HÉBERT (for himself and Mr. BRAY) (by request):

H.R. 11113. A bill to amend title 10, United States Code, to authorize the selective continuation of certain regular commissioned officers on the active lists of the Army, Navy, Marine Corps, and Air Force upon recommendation of a selection board, and for other purposes; to the Committee on Armed Services.

By Mr. KUYKENDALL:

H.R. 11114. A bill to authorize financial assistance for opportunities industrialization centers; to the Committee on Education and Labor.

By Mr. MATHIS of Georgia:

H.R. 11115. A bill to amend the Truth in Lending Act to exempt from coverage under the act credit transactions involving extensions of credit for agricultural purposes; to the Committee on Banking and Currency.

H.R. 11116. A bill to amend the Economic Stabilization Act of 1970 to exempt stabilization of the price of fertilizer from its provisions; to the Committee on Banking and Currency.

H.R. 11117. A bill to provide financial assistance for a demonstration program for the prevention, identification, and treatment of child abuse and neglect, to establish a National Center on Child Abuse and Neglect, and for other purposes; to the Committee on Education and Labor.

H.R. 11118. A bill to amend the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 to provide for minimum Federal payments for 4 additional years, and for other purposes; to the Committee on Public Works.

By Mr. MITCHELL of Maryland (for himself, Mr. HAWKINS, Mr. MOAKLEY, Mr. WAMPLER, Mr. CONYERS, Mr. HARRINGTON, Mrs. CHISHOLM, Mr. DELLUMS, Mr. MAZZOLI, Miss JORDAN, and Mrs. SCHROEDER):

H.R. 11119. A bill to establish the Federal Protective Service Police force within the General Services Administration, provide minimum training, pay, and other benefits for such police force, and for other purposes; to the Committee on Public Works.

By Mr. MIZELL:

H.R. 11120. A bill to amend the Wild and Scenic Rivers Act of 1968 by designating a segment of the New River as potential component of the National Wild and Scenic Rivers System; to the Committee on Interior and Insular Affairs.

By Mr. PATTEN:

H.R. 11121. A bill to assure opportunities for employment and training to unemployed and underemployed persons; to the Committee on Education and Labor.

By Mr. PEPPER (for himself, Ms. ABZUG, Mr. ADDABBO, Mr. ANDERSON of California, Mr. BAKER, Mr. BERGLAND, Mr. BIESTER, Mr. BINGHAM, Mr. BLATNIK, Mr. BOLAND, Mr. BRASCO, Mr. BRECKINRIDGE, Mr. BROWN of California, Mr. BURKE of Florida, Mr. BURKE of Massachusetts, Mr. CARNEY of Ohio, Mrs. COLLINS of Illinois, Mr. COUGHLIN, Mr. CRONIN, Mr. CULVER, Mr. DELLUMS, Mr. DINGELL, Mr. DRINAN, Mr. DULSKI, and Mr. DUNCAN):

H.R. 11122. A bill to amend title VII of the Older Americans Act relating to the nutrition program for the elderly to provide authorization of appropriations, and for other purposes; to the Committee on Education and Labor.

By Mr. PEPPER (for himself, Mr. ECKHARDT, Mr. EDWARDS of California, Mr. EILBERG, Mr. FISH, Mr. FLOOD, Mr. WILLIAM D. FORD, Mr. FRASER, Mr. GONZALEZ, Mr. GRAY, Mr. GREEN of Pennsylvania, Mr. GUDE, Mr. GUNTER, Mr. GUYER, Mr. HARRINGTON, Mr. HECHLER of West Virginia, Mr. HELSTOSKI, Mr. HICKS, Ms. HOLTZMAN, Mr. HORTON, Mr. HOWARD, Mr. JOHNSON of Pennsylvania, Mr. JOHNSON of California, Mr. KOCH, and Mr. KYROS):

H.R. 11123. A bill to amend title VII of the Older Americans Act relating to the nutrition program for the elderly to provide authorization of appropriations, and for other purposes; to the Committee on Education and Labor.

By Mr. PEPPER (for himself, Mr. LONG of Maryland, Mr. MCCORMACK, Mr. MCDADE, Mr. MADIGAN, Mr. MATSUNAGA, Mr. MAYNE, Mr. METCALFE, Mr. MITCHELL of Maryland, Mr. MITCHELL of New York, Mr. MOAKLEY, Mr. MOLLOHAN, Mr. MOORHEAD of Pennsylvania, Mr. MORGAN, Mr. MOSS, Mr. MURPHY of New York, Mr. MURPHY of Illinois, Mr. NIX, Mr. OBEY, Mr. PATTEN, Mr. PODELL, Mr. RANDALL, Mr. RANGEL, Mr. REES, and Mr. REID):

H.R. 11124. A bill to amend title VII of the Older Americans Act relating to the nutrition program for the elderly to provide authorization of appropriations, and for other purposes; to the Committee on Education and Labor.

By Mr. PEPPER (for himself, Mr. RIEGLE, Mr. RODINO, Mr. ROE, Mr. ROONEY of Pennsylvania, Mr. ROSE, Mr. ROSENTHAL, Mr. ROSTENKOWSKI, Mr. ROYBAL, Mr. RUPPE, Mr. RYAN,

Mr. ST GERMAIN, Mr. SARBANES, Mrs. SCHROEDER, Mr. SEIBERLING, Mr. SLACK, Mr. JAMES V. STANTON, Mr. STARK, Mr. STOKES, Mr. STUDDS, Mr. THOMPSON of New Jersey, Mr. THONE, Mr. TIERNAN, Mr. WALDIE, and Mr. WALSH):

H.R. 11125. A bill to amend title VII of the Older Americans Act relating to the nutrition program for the elderly to provide authorization of appropriations, and for other purposes; to the Committee on Education and Labor.

By Mr. PEPPER (for himself, Mr. WHITEHURST, Mr. BOB WILSON, Mr. CHARLES WILSON of Texas, Mr. CHARLES H. WILSON of California, Mr. WOLFF, Mr. WON PAT, Mr. WYDLER, and Mr. YATRON):

H.R. 11126. A bill to amend title VII of the Older Americans Act relating to the nutrition program for the elderly to provide authorization of appropriations, and for other purposes; to the Committee on Education and Labor.

By Mr. PICKLE:

H.R. 11127. A bill to amend the Federal Food, Drug, and Cosmetic Act to clarify the authority of the Secretary of Health, Education, and Welfare with respect to foods for special dietary use; to the Committee on Interstate and Foreign Commerce.

H.R. 11128. A bill to amend title 28, United States Code, to provide more effectively for bilingual proceedings in certain district courts of the United States, and for other purposes; to the Committee on the Judiciary.

By Mr. ROE:

H.R. 11129. A bill to amend the Internal Revenue Code of 1954 to provide an additional personal exemption of $750 for certain volunteer firemen; to the Committee on Ways and Means.

By Mr. ROONEY of Pennsylvania (for himself, Mr. PODELL, Mr. HELSTOSKI, Mr. NIX, Mr. STOKES, Mr. RIEGLE, Mr. WON PAT, Mr. MURPHY of New York, Mr. CARNEY of Ohio, Mr. RANGEL, Mr. DE LUGO, Mrs. BURKE of California, Mrs. CHISHOLM, Mr. YOUNG of Georgia, and Mr. HARRINGTON):

H.R. 11130. A bill to create a National Landlord and Tenant Commission, to establish housing courts, and to define or to provide therefor the rights, obligations, and liabilities of landlords and tenants so as to regulate the activities of the commercial rental housing operations which affect the stability of the economy, the amount of person's real income, the travel of goods and people in commerce, and the general welfare of all citizens of this Nation; to the Committee on the Judiciary.

By Mr. SKUBITZ (for himself and Mr. SEBELIUS):

H.R. 11131. A bill to authorize the Secretary of Transportation to release restrictions on the use of certain property conveyed to the city of Elkhart, Kans., for airport purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. TAYLOR of North Carolina:

H.R. 11132. A bill to provide for the appointment of a Special Prosecutor by Judge John J. Sirica of the U.S. District Court for the District of Columbia, to investigate and prosecute any offense with respect to the election in 1972 for the Office of President; to the Committee on the Judiciary.

By Mr. SMITH of Iowa (for himself, Mr. CULVER, Mr. MEZVINSKY, Mr. GROSS, Mr. MAYNE, Mr. SCHERLE, and Mr. KARTH):

H.R. 11133. A bill to authorize the Secretary of Transportation to provide mass transportation assistance essential for the movement of basic commodities and energy resources to and from production areas and major distribution and processing centers; to the Committee on Interstate and Foreign Commerce.

By Mr. WALSH:

H.R. 11134. A bill to amend chapter 34 of title 38, United States Code, to authorize additional payments to eligible veterans to partially defray the cost of tuition; to the Committee on Veterans' Affairs.

By Mr. WHALEN:

H.R. 11135. A bill to provide for the appointment of an independent Special Prosecutor to prosecute certain investigations into criminal activities; to the Committee on the Judiciary.

By Mr. CULVER (for himself, Mrs. BURKE of California, Mr. DOMINICK V. DANIELS, Mr. EILBERG, Mr. GUDE, Mr. DIGGS, Mr. KYROS, Mr. MCCLOSKEY, Mr. LEHMAN, Mr. PREYER, Mr. RANGEL, Mr. PETTIS, Mr. RIEGLE, Mr. STUDDS, Mr. NIX, Mr. PATTEN, Mr. HANNA, Mr. VIGORITO, Mr. CHARLES WILSON of Texas, and Mr. YATRON):

H.J. Res. 794. Joint resolution to provide for the appointment of a Special Prosecutor, and for other purposes; to the Committee on the Judiciary.

By Mr. McDADE:

H.J. Res. 795. Joint resolution asking the President of the United States to declare Sunday, November 25, 1973, "MIA Awareness Day" to pay tribute to members of the Armed Forces who are missing in action in Indochina; to the Committee on the Judiciary.

By Mr. MATSUNAGA (for himself, Mr. ADAMS, Mr. ANDERSON of California, Mr. BEVILL, Mr. BROWN of California, Mr. DANIELSON, Mr. DELLUMS, Mr. DENHOLM, Mr. EDWARDS of California, Mr. FASCELL, Mr. FLOOD, Mr. KETCHUM, Mr. MATHIS of Georgia, Mr. MCCLOSKEY, Mr. MEEDS, Mr. MELCHER, Mr. MONTGOMERY, Mr. MORGAN, and Mr. Moss):

H.J. Res. 796. Joint resolution to set aside regulations of the Environmental Protection Agency under section 206 of the Federal Water Pollution Control Act, as amended; to the Committee on Public Works.

By Mr. MATSUNAGA (for himself, Mr. NICHOLS, Mr. OWENS, Mr. PEPPER, Mr. PICKLE, Mr. ROYBAL, Mr. SAYLOR, Mr. SEIBERLING, Mr. STARK, Mr. TEAGUE of California, Mr. THONE, Mr. TOWELL of Nevada, Mr. VANIK, Mr. VIGORITO, Mr. WHITEHURST, Mr. CHARLES H. WILSON of California, and Mr. YATRON):

H.J. Res. 797. Joint resolution to set aside regulations of the Environmental Protection Agency under section 206 of the Federal Water Pollution Control Act, as amended; to the Committee on Public Works.

By Mr. THOMSON of Wisconsin:

H.J. Res. 798. Joint resolution designation of the second full week of October of each year as "University Extension Homemaker Week"; to the Committee on the Judiciary.

By Mr. LONG of Maryland (for himself, Mr. BURTON, Mr. MURPHY of New York, Mr. FASCELL, Mr. HILLIS, Mr. LEGGETT, and Mr. PATTEN):

H. Con. Res. 367. Concurrent resolution expressing the sense of the Congress with respect to possible curtailment of oil supplies from Arab producers; to the Committee on Ways and Means.

By Mr. PEPPER (for himself, Mr. ANDREWS of North Carolina, Mr. BADILLO, Mr. BEVILL, Mr. GUNTER, Mr. HANLEY, Mr. MURPHY of Illinois, Mr. RANGEL, Mr. REUSS, Mr. ROSENTHAL, Mr. STARK, Mr. STOKES, and Mr. WON PAT):

H. Con. Res. 368. Concurrent resolution expressing the sense of the Congress that the President should reappoint Archibald Cox as Special Prosecutor and renominate Elliot Richardson as Attorney General, and renominate William Ruckelshaus as Deputy Attorney General; to the Committee on the Judiciary.

By Mr. RODINO:

H. Con. Res. 369. Concurrent resolution to print as a House document, House Committee Print on Impeachment, Selected Materials; to the Committee on House Administration.

By Mr. COHEN (for himself, Mr. ANDERSON of Illinois, Mr. ROBISON of New York, Mr. PRITCHARD, and Mr. SARASIN):

H. Res. 658. Resolution expressing the sense of the House that the Office of the Special Prosecutor be reestablished; to the Committee on the Judiciary.

By Mr. McDADE:

H. Res. 659. Resolution to seek peace in the Middle East and to continue to support Israel's deterrent strength through transfer of Phantom aircraft and other military supplies; to the Committee on Foreign Affairs.

By Mr. O'NEILL (for himself, Mr. BEARD, Mr. DUNCAN, Mr. DU PONT, Mr. FULTON, Mr. LUJAN, Mr. MILFORD, Mr. MITCHELL of Maryland, Mr. TOWELL of Nevada, and Mr. WRIGHT):

H. Res. 660. Resolution to seek peace in the Middle East and to continue to support Israel's deterrent strength through transfer of Phantom aircraft and other military supplies; to the Committee on Foreign Affairs.

By Mr. RIEGLE:

H. Res. 661. Resolution for the impeachment of Richard M. Nixon; to the Committee on the Judiciary.

By Mr. ROYBAL:

H. Res. 662. Resolution impeaching Richard M. Nixon, President of the United States, of high crimes and misdemeanors; to the Committee on the Judiciary.

H. Res. 663. Resolution directing the Committee on the Judiciary to inquire into and investigate whether grounds exist for the impeachment of Richard M. Nixon; to the Committee on Rules.

By Mr. SCHERLE:

H. Res. 664. Resolution expressing the sense of the House that U.S. combat troops not be introduced in the Middle East conflict without prior congressional authorization; to the Committee on Foreign Affairs.

By Mr. THOMPSON of New Jersey (for himself, Mr. ADDABBO, Mr. BLATNIK, Mr. CORMAN, Mr. GAYDOS, Mrs. BURKE of California, Mr. CARNEY of Ohio, Mr. STOKES, Mr. LEHMAN, Mr. KOCH, Mr. LONG of Maryland, Mr. ROSENTHAL, Mr. ROY, Mr. CHARLES H. WILSON of California, Mr. ST GERMAIN, and Mr. HECHLER of West Virginia):

H. Res. 665. Resolution directing the Committee on the Judiciary to inquire into and investigate whether grounds exist for the impeachment of Richard M. Nixon; to the Committee on Rules.

By Mr. WALDIE (for himself and Mr. STOKES):

H. Res. 666. Resolution for the impeachment of the President of the United States; to the Committee on the Judiciary.

## MEMORIALS

Under clause 4 of rule XXII,

322. The SPEAKER presented a memorial of the Legislature of the State of Wisconsin, relative to Federal highway trust funds; to the Committee on Public Works.

## PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII,

By Mr. HUNT:

H.R. 11136. A bill for the relief of Brandywine-Main Line Radio, Inc., WXUR and WXUR-FM, Media, Pa.; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

332. By the SPEAKER: Petition of the city council, Miami Beach, Fla., relative to national unity on the Middle East conflict; to the Committee on Foreign Affairs.

333. Also, petition of the city council, Binghampton, N.Y., relative to daylight saving time; to the Committee on Interstate and Foreign Commerce.

# EXTENSIONS OF REMARKS

## THE DEDICATION OF THE MEDICAL COLLEGE OF OHIO


### HON. THOMAS L. ASHLEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES


*Thursday, October 25, 1973*

Mr. ASHLEY. Mr. Speaker, on Friday, October 12, our distinguished colleague and close friend from my own great State of Ohio, Congressman CHARLES MOSHER, was the principal speaker at the banquet, during the dedication of the first building on the permanent campus of the new Medical College of Ohio in Toledo, in my congressional district. His address was entitled "Declaration of Interdependence: Scientists, Students, Professors, Politicians—We Need Each Other!"

As the ranking minority member of the House Science and Astronautics Committee, and as a recognized authority in the vital, complex field of public policy formation for science and technology, CHARLES MOSHER was well equipped to offer stimulating and insightful remarks to those assembled, and he did not let them down.

As the Toledo Blade commented in an editorial a few days later—

Mr. Mosher, a living example of enlightened statesmanship, spelled out articulately and eloquently the need for closer ties between the Medical College of Ohio and area universities, and between the medical community and the government. His appeal for more extensive training of doctors so that they are better acquainted with the processes of government—particularly those involving decisions of funding medical science—was especially well taken.

I believe that the full text of CHUCK MOSHER's speech in Toledo deserves and demands special attention, and so I include it here for the Members:

DECLARATION OF INTERDEPENDENCE: SCIENTISTS, STUDENTS, PROFESSORS, POLITICIANS—WE NEED EACH OTHER!

I do feel very privileged to participate in this happy occasion this very significant, important celebration.

It happens that back in the 1950's I was a very active member of the Ohio Senate, in Columbus, as Chairman of the Senate Committee on Education and Health. And I remember well our early discussions, out of which finally developed (was it in 1964?) the Ohio General Assembly's decision to charter a new, state supported medical college here at Toledo.

So, it is with considerable personal satisfaction that I participate in this celebration of very impressive, tangible evidence that medical education and the medical sciences are indeed now in being, are alive and well, a dynamic force in this community.

My satisfaction in witnessing this accomplishment . . . my enthusiastic congratulations to all who have been most responsible for it, for this superb new Life Sciences Building . . . are rooted in an acute awareness of the difficult decision-making process required to bring this school to fruition, and also of the often agonizing decisions which constantly will burden all who are responsible for charting its future.

I emphasize that the first crucial decisions, the birth pains for the Medical College at Toledo, were political decisions, voting decisions in the state legislature. By the time your charter finally was voted, I was long since gone from Columbus to Washington. I cannot claim any personal credit for it; but from long legislative experience I am intimately aware of how complex that political process is, at best. So, to all of you, I urge your very realistic awareness . . . indeed, I *warn* you . . . that the future of this college, its vigor and quality and usefulness, will continue to depend in large part on policy decisions voted in both Columbus and Washington.

I strongly suggest that you who are most aware of and concerned for medical education, for medical research, for higher education in general (the realities, the needs and problems, the vast opportunities) . . . I suggest it is imperative that you take a most aggressively active, personal role in our political process. We legislators truly need your help as we struggle to process and vote wise and effective decisions. We politicians live a very kaleidoscopic, fragmented life, buffeted constantly by every conceivable interest. Often, it is extremely difficult to give any major problem . . . such as medical education . . . the concerted attention it may deserve. Each of us may become quite knowledgeable in some policy area related to our committee assignment. But in general it is true that we must rely on strong staff support and on the advice of presumed "experts". Most of us need and welcome the information, advice and criticism we receive from informed and concerned citizens and, certainly, concerning health policy decisions, or medical education and medical science decisions, we surely need (and I urgenly solicit) the assistance of many of you who are here this evening.

I implore you to communicate with your state legislators in Columbus and with your representatives and Senators in Washington, more frequently and more effectively. I repeat, we truly *need* your help!

I further suggest it might be appropriate now for medical colleges to begin to make an overt effort, as part of the curriculum, to "educate" future physicians concerning the rationale and processes of government, especially the formulating of public policy decisions which impact on the life sciences and the delivery of health services.

Only 25 years ago, I am told, about 31 percent of all medical research in the United States was funded by the federal government. By 1972, last year, that proportion had leaped to 63.7 percent. I'm guessing that long before the year 2000, at least 90 percent of policy for the funding of the life sciences will be by government decisions.

Thus, it is clear that all aspects of health services increasingly will be subject to social pressures, to legislative decisions. Hopefully these will be carefully and wisely considered, but sometimes, inevitably, by popular whim. It is my observation that doctors in general know little about the whys and hows of such decisionmaking. I submit it is imperative they learn.

Now, I assume that the legislative decision in Columbus by which the Medical College at Toledo was charted, resulted from a conviction that Ohio was training too few doctors. There was public discussion, some expert evidence, strong and increasing popular pressures, vigorous competition among several metropolitan areas where a new medical college might be located, and then the struggle to get funds appropriated . . . these essentially political pressures brought this school into being, the politically perceived need for Ohio to train more physicians.

(And, as a footnote, let me assure you that I use such phrases as "political process" or "political decision" only in their favorable sense, I use them with respect and devotion, despite my painful awareness of the faults, distortions, scandals that so weaken our political system.)

Essentially those same political pressures . . . the popular alarm because there are too few doctors, the skyrocketing costs for health care, the inequitable distribution of medical services, and unequal ability to pay for those services, especially as related to a growing popular belief that good health and good health care should be birthrights for all Aemricans rather than the privilege of a wealthy few . . . those same political pressures inevitably will produce from the Congress (perhaps as soon as 1974) some form of National Health Insurance Program for federally sponsored medical services available to all of us.

Nobody can say at this point what the details of that national program will be. A wide range of plans are being discussed. But I believe I am accurate in reporting that there does prevail among congressmen an uneasy belief that the success of *any* form of national health services program will require, first of all, a major increase in trained manpower . . . more physicians, more nurses perhaps, and probably a great many more paramedical technicians and assistants.

So, from the Ohio General Assembly in Columbus, and it is strongly echoed from Washington, there is a very forceful mandate on the Medical College at Toledo to produce more physicians. That is why this school exists, that is why we are dedicating a great new Health Sciences Building.

But what kind, what quality of physicians should Toledo produce, and what shall be the training emphasis here? I suspect neither Columbus or Washington is yet giving you any precise mandate as to your professional product, other than just the popular demand for more and more.

And certainly I don't have the credentials to offer expert judgments in attempting to answer those crucial questions: What kind of physicians shall we produce, and how shall we do it?

But I *do* have my own personal prejudices and hopes in that regard. As with paintings, I don't know much about art, but I know what I like. And so, just to be provocative, I will describe in quick, broad terms the physicians I hope the Medical College at Toledo will graduate.

First, I hope you will NOT attract nor train men and women who look upon their MD degree and license to practice as primarily sure tickets to personal wealth. I do not resent in anyone the accumulation of a modest fortune, if it is well earned in some useful, productive and creative, legitimate way; but I would resent it very much if this medical college became largely a trade school, producing mostly clever, glib, efficient, bedside-manner physicians intent on the business of making a profit. Personally, I am very pleased by recent reports that today's medical stu-